TRAVANCORE LEGISLATIVE COUNCIL PROCEEDINGS.

THIRD COUNCIL.

FIRST SESSION.

Vol. XVIII.

31869

No. 1.

Tuesday the 16th December 1930/1st Dhanu 1106.

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TRAVANCORE LEGISLATIVE COUNCIL.

THIRD COUNCIL.

FIRST SESSION OF 1106.

(*OFFICIAL REPORT.*)

Tuesday the 16th December 1930/1st Dhanu 1106.

The Council met in the Victoria Jubilee Town Hall at Eleven thirty of the Clock, on Tuesday the 16th December 1930/1st Dhanu 1106, the President M. R. Ry. A. Venkatarama Aiyar Avergal, B. A., B. L., presiding.

The following members were absent :—

Mr. N. R. Krishnan,
Mr. L. A. Lampard, and
Mr. K. Madhavan.

DISTINGUISHED VISITORS.

1. Lieut-Col. H. R. N. Pritchard, C. I. E., O. B. E., Agent to the Governor-General, Madras States.
2. Capt. Kunwar Daya Singh Bedi, Assistant Agent to the Governor-General, Madras States.

SWEARING IN OF MEMBERS.

The President first subscribed the oath.

The following members were then sworn in :—

1. Mr. K. George, B. A.
2. Mr. Kayalam Paramesvaran Pillai, B. A., B. L.
3. Mr. J. S. Westerdale, B. SC., M. I. C. E.

PRESIDENT : Members of the Legislative Council, Her Highness the Maha Rani Regent has been graciously pleased to appoint me during the absence of Mr. V. S. Subrahmanya Aiyar on leave, as the Dewan of the State temporarily and to act in that capacity as Ex-officio President of this Council.

Before proceeding to the business of the day I would like to assure you that I will discharge the onerous and responsible duties devolving upon me as President of this Council to the best advantage of the State and to its best interests, that I will see that the work here is conducted as harmoniously as possible and that I will bear in mind that I should be guided by feelings of trust and confidence which I am sure you will reciprocate, for to my mind such feelings of reciprocity are essential to the proper, efficient and useful work, of an institution of this kind. I trust you would help me to your best to attain this end and extend to me your cordial support and hearty co-operation.

QUESTIONS AND ANSWERS.

Select Committees appointed by the Legislative Council.

1. **MR. A. C. KURIAKOSE** (*Minachil* cum *Devicolam*): Will the Government be pleased to lay on the table a statement showing the number of Select Committees appointed by the Legislative Council since the beginning of the existing Third Council of the Reformed Legislative Council (including the Edavam session of the Council in 1105), what those committees are and the names of the non-official members who have served on each of those committees?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The member is referred to Volumes XIII, XIV, XV and XVI of the Proceedings of the Legislative Council, copies of which have already been supplied to him, and to the reports of the several Select Committees, for the names of the non-official members who have served on the committees, copies of which also have been made available to him.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): നിയമസഭാ നടപടികളുടെ ൧൩, ൧൪, ൧൫, ൧൬, ഈ വാല്യങ്ങളും പരിശോധിച്ചാൽ ആവശ്യപ്പെടുന്ന വിവരങ്ങളും കാണുമെന്നു മറുപടി പറഞ്ഞിട്ടുണ്ട്. മെമ്പർ ഇതു പരിശോധിച്ചു മനസ്സിലാക്കിയതാണോ, അതല്ല ഊഹിച്ചതാണോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): പരിശോധിച്ചു മനസ്സിലാക്കിയാണു് മറുപടി തയ്യാറാക്കിയിരിക്കുന്നതു്.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): അങ്ങിനെ പരിശോധിച്ചിട്ടുണ്ടെങ്കിൽ ഏതേതു വാല്യത്തിൽ ഏതേതു ഭാഗത്താണു ഈ വിവരങ്ങൾ അടങ്ങിയിരിക്കുന്നതെന്നു പറയാമോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ഇപ്പോൾ പറയാൻ നിവൃത്തിയില്ല.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ഈ വിവരം ഇന്നയിന്ന വാല്യങ്ങൾ നോക്കിക്കൊള്ളണമെന്നു പറയാനെ പാടൊള്ളു എന്നു വല്ല നിയമവുമുണ്ടോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): മെമ്പർക്കു ഈ പുസ്തകങ്ങളെല്ലാം തരുന്നതു കൊണ്ടു ഇത്രയും പറഞ്ഞാൽ മതിയാകുമല്ലോ.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolum*): ഈ ചോദ്യം നോട്ടീസിൽ സ്വീകരിച്ചിട്ടു ആറുമാസമായി. ആ സ്ഥിതിക്കു ഈ ചോദ്യത്തിനു പൂർണ്ണമായ ഒരു മറുപടി പറയരുതോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ഈ മറുപടി പൂർണ്ണമെന്നാണ് എന്റെ അഭിപ്രായം.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ഈ വിവരം അറിയണമെന്നു ആഗ്രഹമുള്ള മററു മെമ്പർമാരും ഈ വാല്യങ്ങൾ ആദ്യം മുതൽ അവസാനം വരെ പരിശോധിക്കണമെന്നാണോ അഭിപ്രായം?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): നോക്കിയാൽ എല്ലാവക്കും അറിയാം.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ഇങ്ങിനെ ഒരു സ്റ്റേറ്റുമെന്റു കൊടുത്തുകൂടാ എന്നു വല്ല വ്യവസ്ഥയുമുണ്ടോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ചോദിക്കുന്നതിനു മാത്രം ഉത്തരം പറഞ്ഞാൽ മതിയാകും.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ചോദിച്ചതിനു ഉത്തരമായിട്ടാണ് ഇവിടെ പറഞ്ഞിരിക്കുന്നതെന്നാണോ അഭിപ്രായം?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അങ്ങിനെതന്നെയാണ് എന്റെ അഭിപ്രായം.

Special Committees and Boards appointed by the Legislative Council.

2. **MR. A. C. KURIAKOSE** (*Minachil* cum *Devicolam*): Will the Government be pleased to lay on the table a statement showing the special committees and boards appointed by the Legislative Council since the beginning of the existing Third Council of the Reformed Legislative Council and the names of the non-official members of the Council who were elected to serve on them?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The member is referred to Volumes XIII, XIV, XV, XVI and XVII of the Proceedings of the Legislative Council, copies of which have already been supplied to him.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): നിയമസഭാ നടപടി ൧൩, ൧൪, ൧൫, ൧൬, ൧൭ ഈ വാല്യങ്ങളിൽ ഈ വിവരം അടങ്ങിയിരിക്കുന്നു എന്നു പറയുന്നു. ഇതു പരിശോധിച്ചിട്ടു മനസ്സിലാക്കിയതാണോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): പരിശോധിച്ചു മനസ്സിലാക്കിയതാണ്.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ഏതേതു ലക്കങ്ങളിലാണ് ഇതടങ്ങിയിരിക്കുന്നതെന്ന് പറയാൻ കഴിയുമോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ഇപ്പോൾ പറയാൻ നിവൃത്തിയില്ല.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): അതു പറയുന്നതിനു വേണ്ട വ്യവസ്ഥ ചെയ്യുന്നതിനു വിരോധമുണ്ടോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): വിരോധമില്ല.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): രണ്ടു മാസത്തിനകം തരത്തക്കവണ്ണം വേണ്ട ഏർപ്പാടുചെയ്യാമോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*); അതു ആലോചിക്കാം.

Statement, by caste, of teachers in Government English High and Middle Schools.

3. **MR. A. C. KURIAKOSE** (*Minachil* cum *Devicolam*): Will the Government be pleased to lay on the table a statement, by caste, showing the number cf teachers now (12-7-1930) in service in the Government English High Schools and Middle Schools in the State?

MR. K. GEORGE (*Chief Secretary to Government*): The statement* required by the member is laid on the table.

Extent of disafforested lands registered in the names of Muslims during 1099-1104.

4. **MR. P. S. MAHOMED** (*Nominated*): With reference to the answer to question No. 193 (2) (*a*) in the list of questions and answers laid on the table at the meeting of the Council held on the 14th May 1930, will the Government be pleased to state the number of acres of land registered in the names of Muslim applicants?

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): The extent of disafforested lands registered in the names of Mahomedans during 1099 to 1104 is given below.—

Taluk.		*Extent.*	
		Acres.	*Cents.*
Pattanapuram		52	83
Shencotta		669	47
Pattanamtitta		1	76
Muvattupuzha		2	29
	Total	726	35

Consumption of Ganja.

5. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to state the quantity of ganja that has been consumed in 1104 and 1105 (till 1-12-1105) separately?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The quantities of ganja consumed during 1104 and the first eleven months of 1105 are 5,881 seers and 30 tolas, and 5,954 seers and 17 tolas respectively.

* *Vide* Appendix I—page 8.

Statement of appointments made in the Courts at Alleppey.

6. **MR. P. S. MAHOMED** (*Nominated*): (1) Will the Government be pleased to lay on the table a statement giving information on the following points relating to the District and Sessions Courts and the Munsiffs' Courts at Alleppey:

(*a*) the number of appointments made in each of these courts during 1104 and 1105 (till 1st Makaram 1105) separately;

(*b*) the caste or religion of the persons appointed; and

(*c*) the number of Muslim applicants for appointments during the same period?

(2) Will they be pleased to state:

(*a*) whether any of these courts ignored the claims of Muslims; and

(*b*) if so, the reasons for the same?

MR. K. GEORGE (*Chief Secretary to Government*): (1) (*a*), (*b*) and (*c*) Statements * containing the required information are laid on the table.

(2) (*a*) The answer is in the negative.

(*b*) This does not arise.

Pakuti Accountants.

7. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to state:

(*a*) the minimum qualifications required for an accountant in the Revenue Department;

(*b*) whether there are persons with Survey Examination qualification alone appointed as Accountants in the first instance; and

(*c*) if there were such instances, whether they will lay on the table a statement, by caste, of the number of such appointments?

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): (*a*) The minimum qualifications required for an Accountant in the Revenue Department are the Vernacular School Leaving Certificate Examination, Survey Test and Village Officer's Test.

(*b*) Only one person with Survey Examination qualification was appointed as Accountant since the Public Service Notification (*Vide* Appendix I. A., T. S. R.) prescribing the minimum qualification for Accountants.

(*c*) A statement is given below:—

Name.	*Caste.*	*Date of appointment.*
T. Sivan Pillai	Vellala	1-12-1094.

Muslims who have passed the Survey Test.

8. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to state the number of Muslims who have passed the Survey Test Examination from the starting of the examination till now (1-12-1105) and also during the last 3 years?

* *Vide* Appendices II A and II B.—pages 9 to 12.

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): Nine Mahomedan candidates passed the Survey Test from the introduction of the examination in 1090 to the end of Mithunam 1105, the number that passed during the last 3 years being 3.

Persons who have passed the Survey and Village Test Examinations.

9. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to state the number of persons who have passed the Survey and Village Test Examination held during the last five years (1100-1104)?

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): The required particulars are given below:—

Year.	*Survey Test.* No.	*Village Test.* No.
1100	188	169
1101	127	400
1102	118	230
1103	139	127
1104	160	165
Total	732	1,091

Statement of appointments made in the Work Establishment of the P. W. D.

10. **MR. D. FRANCIS** (*Nominated*): Will the Government be pleased to lay on the table a statement, by caste, of the appointments made up to 32-1-1106 by the P. W. D. in the Work Establishment of—

(1) the Nagercoil Division;
(2) the Trivandrum Division;
(3) the Workshops and Stores Division;
(4) the Quilon Division;
(5) the Kottayam Division;
(6) the Water Works Division;
(7) the Alwaye Division; and
(8) the Electrical Branch?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The Government do not propose to call for the statement as they consider that the time and labour involved in the preparation of such a statement will be out of all proportion to its utility.

Promotion of undergraduate teachers to the Special Grade.

11. **MR. REVATI NAL RAMA VARMA RAJA** (*Elavagai*): Will the Government be pleased to state:

(*a*) when the special grade for undergraduate teachers was first introduced;

(*b*) how many have been promoted to that grade till now (26-1-1106); and

(*c*) the dates on which they have been promoted?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) In 1098 M. E.

(*b*) 20.
(*c*) 8 in 1098;
7 in 1099;
3 in 1100;
1 in 1102; and
1 in 1105.

Pandits in English Schools.

12. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state:

(*a*) whether the applicants who have passed the Vidwan, Siromani, Mahopadhyaya and Upadhyaya examinations are appointed to the posts of Pandits and Munshis in English Schools in preference to graduate applicants; and

(*b*) if the answer to part (*a*) is in the negative, the reason for not preferring these specialists in oriental languages to such appointments?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes.
(*b*) In view of the answer to part (*a*), this does not arise.

Grant-in-aid to the Vaidyasala of M. K. Padmanabhan Vaidyan, Putupalli.

13. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state:

(*a*) whether they have received a memorial in Kumbham 1105 from the inhabitants of the Putupalli pakuti, Karunagapalli taluk, with the signatures of the local M. L. C. and S. M. P. A. member, for giving recognition and grant-in-aid to the *vaidyasala* of M. K. Padmanabhan Vaidyan, Mavilasseri, Prayar *muri*, Putupalli; and

(*b*) if the answer to part (*a*) is in the affirmative, the steps taken on the same?

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): (*a*) The answer is in the affirmative.

(*b*) Orders have been issued to the Inspector in charge, Ayurveda Department, to include the name of the Vaidyan in the list of State recognised Vaidyans. The question of awarding grant will be considered.

Appendix I.

Vide Answer to Question No. 3.

Caste.	*No. of Teachers.*
I. Hindus.	
Brahmins (Malayala)	8
Do. (others)	336
Nadar	2
Ezhava	9
Kammala	5
Kshatriya	7
Nayar	115
Pulaya	...
Other depressed classes... ...	...
Vellalas	14
Other Hindus	19
II. Musalmans	15
III. Christians	
(*a*) Protestants	40
(*b*) Roman Catholics	
(1) Latin rite	19
(2) Syriac rite	6
(*c*) Syrians	
(1) Jacobite	44
(2) Mar Thoma	46
(*d*) Church of England	27
IV. Others.	3

Appendix II A.

***Vide* Answer to Question No 8.**

Statement showing the appointments made in each of the District and Sessions Courts and Munsiff's Courts at Alleppey during 1104,

Name of Court.	(a) Number of appointments made in 1104.	(b) Caste or religion of the persons appointed. I. Hindus. Brahmins (Others).	Ezhavas.	Kshatryas (Malayala).	Nayars.	Pulayas.	Other depressed classes.	Vellalas.	Other Hindus.	II. Musalmans.
Alleppey District Court	22	3	5	..	9	1	..	..	2	..
Alleppey Temporary 2nd Judge's Court	4	..	..	..	2	..	..	..	..	..
Alleppey Principal Munsiff's Court	24	..	2	..	9	..	2	..	1	1
Alleppey Additional Munsiff's Court	20	..	1	..	15	..	1	..	2	1
Total	70	3	8	..	35	1	3	..	5	2

Appendix II A.—(*contd.*)

Vide Answer to Question No. 6.

Statement showing the appointments made in each of the District and Sessions Courts and Munsiff's Courts at Alleppey during 1104.

Name of Court.	(b) Caste or religion of the persons appointed.						(c)	(a)	(b)	Remarks.
	III Christians.						The number of Muslim applicants for appointment for the same period.	Whether any of the courts ignored the claims of Muslims.	If so, the reasons for the same.	
	Protestants.	Roman Catholic Latin rite.	Do. Syriac rite.	Jacobite Syrian.	Marthoma Syrian.	Church of England.				
Alleppey District Court	..	..	..	2	..	..	1	During 1104 there was one Muslim applicant in Karkatakam 1104; there was no vacancy at that time He was given acting copyist's place in the local Principal Munsiff's Court in 1105. He was appointed acting copyist in this court also.		
Alleppey Temporary 2nd Judge's Court	..	..	..	2	..	..	..			
Alleppey Principal Munsiff's Court	..	..	1	4	3	1	1	During 1104 there was only one Muslim applicant and he was appointed as acting peon.		
Alleppey Additional Munsiff's Court	..	..	..	..	..	..	1	There was only one application from a Muslim and he was given an acting peon's place.		
Total	..	..	1	8	3	1	3			

Appendix II B.

***Vide* Answer to Question No. 6.**

Statement showing the appointments made in each of the District and Sessions Courts and Munsiff's Courts at Alleppey during 1105 (till 1-6-1105).

Name of Court.	(a) Number of appointments made in 1105 (till 1-6-1105)	(b) Caste or religion of the persons appointed.								
		I. Hindus.								II. Musalmans.
		Brahmins (Others).	Ezhavas.	Kshatriyas (Malayala).	Nayars.	Pulayas.	Other depressed classes	Vellalas.	Other Hindus.	
Alleppey District Court	9	1	1	..	2	..	..	..	2	2
Alleppey Temporary 2nd Judge's Court	..	..	..	..	..	..	..	..	...	..
Alleppey Principal Munsiff's Court	7	..	..	1	3	..	..	..	..	1
Alleppey Additional Munsiff's Court	4	..	1	1	2	..	..	..	..	..
Total	20	1	2	2	7	..	..	..	2	3

Appendix II B.—(*concld.*)

***Vide* Answer to Question No. 6.**

Statement showing the appointments made in each of the District and Sessions Courts and Munsiff's Courts at Alleppey during 1105 (till 1-6-1105).—(*concld.*)

Name of Court.	(b) Caste or religion of the persons appointed.						(c) The number of Muslim applicants for appointment for the same period.	(a) Whether any of these courts ignored the claims of Muslims.	(b) If so, the reasons for the same.	Remarks
		III Christians.								
	Protestants.	Roman Catholic Latin rite.	Do. Syriac rite.	Jacobite Syrian.	Marthoma Syrian.	Church of England.				
Alleppey District Court	..	..	..	..	..	..	2	There were two Muslim applicants in 1105. One was appointed as an acting copyist and acting clerk and the other was appointed as acting salary peon.	..	
Alleppey Temporary 2nd Judge's Court	..	..	..	..	..	..	..	..	..	
Alleppey Principal Munsiff's Court	..	1	..	..	1	..	1	There was only one Muslim applicant in 1105 and he was appointed as acting copyist.	..	
Alleppey Additional Munsiff's Court	..	..	..	..	..	..	..	..	..	
Total...	..	2	..	..	1	..	3	...	...	

Mr. Muruvelil Pachu Pillai presented to the President notice of a motion for the adjournment of the business of the Council.

PRESIDENT: Mr. Muruveli Pachu Pillai has presented to me a statement requesting leave to move the adjournment of the business of the House to discuss a definite matter of urgent public importance, *viz.*, the attitude and behaviour of the Police in relation to the incidents that took place in public meetings at Shertallai and Kanjikulangara on the 19th of Kanni 1106. I will give a ruling on this matter after lunch to-day.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Sir, strictly under the rules a motion for the adjournment of the business of the House has to be ruled out or admitted. In case, this motion is not ruled out of order, then members on this side of the House would be put in a disadvantageous situation, because they will not be able to table another motion for the adjournment of the business of this House. In view of the fact that there is one more motion for the adjournment of the business of the House for discussing a matter of urgent public importance, our prayer is that this motion may be considered and the views of the House ascertained even if the other is ruled to be in order.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): As regards Mr. K. P. Nilakanta Pillai's suggestion, that other motions may have to be made, I think there is no other motion now sought to be made. If others are sought to be made they may be considered in their order and the President may give his ruling on each.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What is the Law Member's opinion with regard to Rule 20?

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): One word, Sir. Rule 20 (2) of the Council Rules prescribes the procedure that is to be adopted in this behalf. It says:—

"If the President is of opinion that the matter proposed to be discussed is in order, he shall read the statement to the Council and ask whether the member has the leave of the Council. If no objection is taken, the President shall intimate the hour at which the motion will be taken. If objection is taken, the President shall request those members who support the motion to rise in their places and if not less than twenty members rise accordingly, he shall similarly intimate the hour. If less than twenty members rise, the President shall inform the member that he has not the leave of the Council."

This is the procedure that we have to follow.

PRESIDENT: I do not see how my giving the ruling after lunch will affect the exercise of the powers of the members as regards other motions. It is only one motion that has been presented to-day now. After my ruling on the subject the wish of the House in this matter may be ascertained. If the Council agrees that leave should be given, then the motion may be discussed duly. Under these circumstances, I do not know how any difficulty arises by my reserving decision till lunch to-day.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Shall I submit a word with regard to this?

At this stage Mr. R. Kesava Pillai presented to the President notice of another motion for the adjournment of the business of the Council.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : I beg to make one statement. Rule 20 of the Council Rules prescribes the procedure to be followed by the Council. According to clause (2) of that Rule the President has to ascertain from the Council whether this motion is allowed by the other members of the Council or not. After that the President has to proceed further. Without asking the leave of the House the business of the Council cannot be adjourned to a future time. That is the definite procedure laid down by the Rules. The President is also bound by the Rules.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : There is one more point with regard to this. Rule 39, clause (1) says that "not more than one such motion shall be made at the same sitting."

PRESIDENT : Mr. Kesava Pillai, there are evidently two stages to be gone through before the motion is discussed be the Council. Firstly the President has to decide whether it is in order; secondly the leave of the Council has to be obtained. It is only after these two conditions are satisfied that the motion could be discussed in the Council. We are at the first stage and the fact that a second stage is provided for does not in any way interfere with the discretion allowed to the President to see whether it is in order or not.

As regards Mr. Nilakanta Pillai's difficulty, I would point out that the rule simply means that not more than one adjournment motion could be discussed on one day. Even conceding it I do not think there is any difficulty in the reservation now made to give the ruling after lunch.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : I rise to a point of order in regard to this matter because it is a very important thing which touches the privilege of this House. A motion for the adjournment of the business of the House must relate to a matter of urgent public importance. If the President thinks that it is in order he must ascertain the wishes of this House as to whether anybody opposes the motion and a time has to be fixed for discussing the matter. The rule lays down that the adjournment motion could be moved only after question time and before the Council enters into other proceedings. Suppose this afternoon the President says that this motion is out of order, the members are not entitled to make another motion and unless we clearly follow the procedure laid down in the Rules and Standing Orders there will be no safe guide for the members to proceed upon. That is the difficulty. The rules say :—"The member asking leave to make the motion must hand to the President a written statement of the matter proposed to be discussed. If the President is of opinion that the matter proposed to be discussed is in order, he shall read the statement to the Council and ask whether the member has the leave of the Council. If no objection is taken, the President shall intimate the House at which time the motion will be taken."

Since it is a matter of urgent public importance and since according to the precedents of this House we have to make another motion immediately after the first motion is disallowed, I submit that if the President postpones the time for giving a ruling we will be very much handicapped. Further this will be considered as a precedent in future which will detrimentally affect the rights of the members.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Is there anything to prevent Mr. Asan from asking for leave for another motion even now? Does he apprehend that he cannot ask for leave in the same manner as Mr. Kesava Pillai did?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I fear that if I am to be guided by the arguments advanced by the Law Member on previous occasions they are very likely to raise such objections. I know of instances in which such objections were raised from the Government Benches. At one time when both Mr. G. Rama Menon and another member probably Mr. Thomas wished to move the adjournment of the business of the House, it was objected on the ground that leave could be asked for only one motion.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I remind that in view of the pocedure followed then, according to the Rules and Standing Orders both the motions have become invalid for the purpose.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): That is why I say that it is quite open to the Law Member or to any member of the House to question the validity of the proceedings and say that it is out of order. I fully concede that the President has got the right to regulate all proceedings of this House; but that must be in consonance with the provisions in the Rules and Standing Orders. That is all I have to submit in this connection.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy Pre ident*): I would just like to say a few words on the matter before the House. The motion before the House is apparently based on the Rule 18 which says:—

> 'A motion for an adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the President'.

The Rule does not leave it absolutely to the members to make the motion without the consent of the President. It is open to the President to give the consent at once. It is equally open to him to take time for considering the question whether a motion is in order or not. It is only when he gives his consent that the motion can be placed before the House at all. The contention of my friend that no other motion could be made if this one is rejected was raised on a former occasion and I think that it was ruled in favour of the members of the House. It means that more than one motion cannot be admitted for the purpose of discussion on the same sitting.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Does the learned Deputy President think that that was an occasion when the first motion was ruled out?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Does he remember that the second motion was thrown out on the ground that the first motion was ruled out?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Even after disallowing the first motion it was said that the second motion was out of order.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : That was the contention. But there was no ruling by the Chairman. Some representative of the Government said that two motions could not be made under the provisions of the Council Rules. The President ruled that that would apply only when the first motion had been admitted but when the first motion had not been admitted it is as good as having no motion before the Council. The second motion would be the first of its kind to be considered. I thought it was due for me to bring this specific provision of Rule 18, to the notice of the House. Perhaps it would be more satisfactory from all standpoints that the ruling that the President gives must be a ruling given after mature consideration lest it should go in as an inconvenient precedent on future occasions. Absolutely nothing is lost. No public interest is jeopardised by the President postponing his decision.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : What would be the result if two motions that have been already made are found to be valid and in order?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): When the first is admitted the second automatically goes out.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Was this contingency contemplated when the Rules were framed ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : It is difficult to answer that question. What the legislature had in view is to be gathered from the plain language of the Rules and Standing Orders. Rule 18 distinctly says that a motion for adjournment of the business of the House cannot be moved without the consent of the President. After the President gives his assent, it is open to other members to bring to the notice of the President whether the motion itself is in order. The condition precedent is that there must be consent of the President before the motion can be made. If that part of the Rule is omitted, my friend's position is perfectly logical.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : Does the member know that subject to certain conditions, according to Rule 18 the President may disallow a motion ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I am not aware of any conditions which interfere with the free exercise of the discretion vested in the Chair.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : May I remind the Deputy President..... ...

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I am not in the capacity of Deputy President now. Simply address me as Krishna Aiyangar.

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): May I remind Mr. Krishna Aiyangar that the reasons why this motion will be considered at a future time were not given to this Council?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): The House gets jurisdiction only when the motion is placed before the Council. We are now discussing the correctness of the position taken up by the Chair. He has reserved to himself the right to give a decision after lunch. I do not find anything seriously interfering with the prerogatives or privileges of the members of this House. If that were so, I would be the first to stand up and put up a tough fight as I have done on earlier occasions whenever I found that the rights vested in the non-official members were sought to be taken away.

PRESIDENT: I do not think, Mr. Krishna Aiyangar, that the members who spoke about this in any way tried to question the correctness of the observations made by the Chair because they are fully alive to the fact that so far as such matters are concerned the voice of the Chair is supreme in this House. I take it that they have placed before the House the difficulties that they may experience by the reservation that I have made to make the announcement after lunch. Even there I do not think any difficulty would arise because to my mind they are imaginary, if not illusory. The two motions relate to the recent occurrence at Shertallai. Virtually they relate to the same matter. Even if a ruling is given this afternoon that does not deprive the members of this House of their right to move a similar motion, on another occasion. Even there, as pointed out by Mr. Krishna Aiyangar, Rule 18 gives me the right to give or withhold the consent. In such matters where the members represent to the House that the matter is of vital importance and affects the rights of the public, an off-hand pronouncement from the Chair is, I think, a matter which the members of the House do not desire. The whole situation has to be examined and I take it that the members expect a considered opinion as regards the according of the consent or otherwise. In these circumstances, I promise to give my pronouncement after lunch, and, if I consider it to be in order, I will then invite the views of the House as to whether it is supported by you and has to be allowed.

Regulation assented to by Her Highness the Maha Rani Regent.

MR. P. N. KRISHNA PILLAI (*Secretary to the Legislative Council*): Sir, I beg to announce that the Travancore Registration Regulation Amendment Bill received the assent of Her Highness the Maha Rani Regent on the 27th Chingom 1106.

STATEMENT LAID ON THE TABLE.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Sir, under Rule 52 of the Legislative Council Rules, I beg to lay on the table the following statement of expenditure authorised by Government under Section 16 (9) of the Legislative Council Regulation II of 1097.

Demand No.	Amount Rs.	Particulars.
XXI. Buildings, Communications and Miscellaneous Public Improvements.	5,200	For the continuance till the end of Menam 1106 of the temporary staff in connection with the working of the Irrigation Committee.
XXII. Miscellaneous.	1,420	For the continuance of the Banking Enquiry Committee till the 15th Tulam 1106.

DEMANDS FOR SUPPLEMENTARY GRANTS.

DEMAND I.—LAND REVENUE.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): Sir, I rise to move for a grant not exceeding Rs. 154 under Demand I- Land Revenue, for the entertainment of a temporary Accountant on Rs. 14 per mensem and a temporary peon on Rs. 8 per mensem from the 1st Dhanu 1106 for Land Records Maintenance Work in the Enadimangalam pakuti of the Kunnattur taluk.

The present staff of this pakuti consists of one Proverthikar on Rs. 18-24, 1 Accountant on Rs. 14 and two peons on Rs. 8 each.

When the settlement was done in that pakuti in 1084, the staff consisted of 1 Proverthikar, 2 Accountants and 3 Peons. Since the settlement, the number of pattadars have practically trebled. At the time of the settlement, there were only 2,436 pattadars; but now there are 7,239. The area under occupation has also more than doubled itself. At the time of the Settlement, only 8109·10 acres were under occupation. At present there are 19,257 acres under occupation.

Instead of getting an increase of staff as time went on, in 1101....

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): May I know the figures at the time when the Budget was discussed last, in this Council?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): We have been asking for this additional staff for some time now. At the time of the last Budget we tried the experiment of diverting one accountant and one peon from another pakuti to work in this pakuti. I will come to that point later on.

I was saying that instead of getting an increase of staff as time went on, in 1101 one accountant and one peon were taken from this

pakuti for L. R. M. work thus lessening the permanent staff. In consequence work all-round suffers.

The area of the pakuti is 49·28 sq. miles. At the beginning of this year we tried the experiment of taking one accountant and one peon from the Suranad pakuti. This led to disastrous results in that pakuti and the public suffered. So, we have now come to the House to ask for this additional staff temporarily for 6 months.

Considering the fact that the area of the pakuti is about 49· sq. miles, it takes a man several days to perambulate the whole pakuti the holdings in which lie scattered about. And even the indoor work, the staff finds it impossible to dispose of.

The Enadimangalam pakuti stands foremost in all respects—area under occupation, number of pattadars, etc. The revenue of the pakuti has increased from Rs. 9,503 to Rs. 20,259. The area under occupation has increased from 8,109 acres to 19,257 acres.

The number of pattadars has increased from 2,436 to 7,239. Further, it is the largest and most important pakuti in the taluk. Yet it has only the minimum staff. The Public and the Government suffer in consequence.

I therefore hope that the House will grant this Demand.

MR. A. THANU PILLAI (*Trivandrum*): May I know why provision for the purpose was not made in the Budget for 1106 ?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : I have tried to explain why we did not include provision for this purpose in the Budget. We tried an experiment by diverting from the Suranad pakuti one accountant and one peon ; but that was not satisfactory.

PRESIDENT : I take it that the House sanctions the Demand.

The Demand was granted.

DEMAND No. VII.—GENERAL ADMINISTRATION.

MR. K. GEORGE (*Chief Secretary to Government*) : Sir, I rise to move for a supplementary grant not exceeding Rs. 725 under Demand VII—General Administration—Huzur Cutcherry—Legislative Council.

This amount is required for the payment of remuneration to the non-official members of the Election Commission appointed in connection with the election petition filed by Mr. J. W. Rose questioning the validity of the election of Mr. T. C. Kesava Pillai to the Legislative Council.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : May I know from the member when the petition was decided ?

MR. K. GEORGE (*Chief Secretary to Government*) : About July or August 1929.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : May I know when the petition was filed ?

MR. K. GEORGE (*Chief Secretary to Government*) ; I cannot recall the date. It was filed soon after the election was over. The petition was decided by the Commissioners in July 1929.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Has any explanation been submitted by the members of the Election Commission for the delay in deciding the petition?

MR. K. GEORGE (*Chief Secretary to Government*): No; there is no question of delay and therefore no explanation was offered. The three Election Commissioners, they were all of them non-officials, made a request to Government that they might be paid such remuneration as the Government deemed fit. After careful consideration and enquiry of the procedure that is followed elsewhere, Government decided to pay to the Commissioners a remuneration amounting to Rs. 25 per day of sitting. It is at this rate that the amount has been calculated. I hope the House will pass the Demand.

MR. R. RAMAN PILLAI (*Kottayam*): കഴിഞ്ഞ സെപ്റ്റംബറ് ത്രൈമാസിയകാലത്തു ഗവൺമെൻറിനു ഈ സംഗതിയെപ്പററി ഓൎമ്മയില്ലായിരുന്നുവൊ?

MR. K. GEORGE (*Chief Secretary to Government*): The question as to whether any payment should be made or not was not decided then.

MR. R. RAMAN PILLAI (*Kottayam*): എന്നാണു് ഇതു തീൎച്ചപ്പെടുത്തിയതെന്നുപറയാമോ?

MR. K. GEORGE (*Chief Secretary to Government*): It is only very recently.

MR. R. RAMAN PILLAI (*Kottayam*): "റിസൻറ്ലി" എന്നുപറഞ്ഞാൽ മനസ്സിലാകുന്നില്ല. വ്യക്തമായിട്ടുപറയണം.

MR. K. GEORGE (*Chief Secretary to Government*): It may be two or three weeks ago.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): May I know the amount that was paid to the members of the Election Commission who decided the election case in Mr. Karayalar versus Krishnaswami Aiyar?

MR. K. GEORGE (*Chief Secretary to Government*): No payment has yet been made to any commissioners.

PRESIDENT: I take it that the House sanctions this Demand also?

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): There is a cut motion to the Demand by Mr. L. R. Rajaraja Varma Koiltampuran.

PRESIDENT: Do you move your motion, Mr. Tampuran?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): I do not move the motion.

PRESIDENT: I take it that the House sanctions this Demand also?

The Demand was granted.

DEMAND No. IX—ADMINISTRATION OF JUSTICE.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I beg to move for a supplementary grant not exceeding

Rs. 14,218 under Demand IX—Administration of Justice—for the continuance till the end of 1106 M. E. of the office of the Laws' Delays Commissioner. The office was sanctioned by this Council only till the end of December 1930.

It has since been found that the work the Commissioner has to do is much more laborious than was anticipated at first; it has therefore become necessary that the Commissioner should work for sometime longer. An estimate of the time that will be required for completing the work has been taken and it is found that the office will have to be continued till the end of this Malabar year. The amount now asked for represents the amount that is required for meeting the expenditure in connection with the continuance of the office.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Does it mean that the work will be completed by the end of the year?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The hope is that the work will be completed by the time.

MR. A. THANU PILLAI (*Trivandrum*): I wish to know how many commissioners were appointed at first?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): One Commissioner and one Assistant Commissioner.

MR. A. THANU PILLAI (*Trivandrum*): Are they, both of them, attending to this work now?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): There is a Secretary now instead of the Assistant Commissioner?

MR. A. THANU PILLAI (*Trivandrum*): I wish to know how long the Assistant Commissioner attended to this work? He seems to have discontinued. I also wish to know whether it has not contributed to the delay?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sikar Vakil*): The absence of the Assistant Commissioner has not contributed to the delay. What the Commissioner now wants is more or less ministerial assistance, for which a Secretary has been appointed and he is doing the work. The Commissioner is a tried officer of sound judicial experience and great devotion to duty.

MR. A. THANU PILLAI (*Trivandrum*): I should not be taken to suggest that the Commissioner has not got experience in judicial matters or that he is not devoted to his duty. Far from it. I only question the propriety of the arrangements temporarily made and I want to know whether this temporary arrangement has not disturbed the continuity of work and has therefore contributed to the delay?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It may be that the temporary arrangement has disturbed the continuity of work. But that has not contributed to the delay. All that the Commissioner just now wants is some ministerial assistance. The duties of the Assistant Commissioner are being attended to by the Commissioner himself,

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): May I know from the Law Member whether the work will be completed within the time now proposed?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It is hoped that the work will be completed within the time. A rough estimate of all the stages of the work to be gone through has been prepared and according to this estimate the Commissioner hopes to finish the work within the time now proposed. That is all that could be stated now.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know what is the difference between the function of the Assistant Commissioner and that of the Secretary?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I cannot answer that question very definitely off-hand. But I conceive the Assistant Commissioner will take part in the examination of witnesses and also will sign the report as a member responsible for it. The Secretary will not.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know why a Secretary alone was found to be sufficient when the Assistant Commissioner is on other duty?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I have already answered the question. Just now the Commissioner wants only some ministerial assistance.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): "When the Commissioner takes evidence" will he be given an Assistant Commissioner?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I believe so.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Was the Commissioner taking evidence when the Assistant Commissioner worked?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No; they were then preparing the questionnaire. The Assistant Commissioner interviewed various legal practitioners and tried to find out the method of work, before preparing the questionnaire. Then answers had to be received and statistics had to be tabulated. It was at that time that the Assistant Commissionership was discontinued and the Secretary appointed.

PRESIDENT: I take it that the House sanctions the Demand?

The Demand was granted.

DEMAND XX.—SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS.

MR. K. GEORGE (*Chief Secretary to Government*): Sir, I rise to move for a supplementary grant not exceeding Rs. 130 under Demand XX—Scientific and Miscellaneous Departments.

This amount is required for the appointment of an Attender-mechanic on Rs. 20 per mensem, temporarily till the end of this year from the 16th Dhanu in the Astronomical Section of the Observatory.

The Government Observatory consists of two sections, the Meteorological and the Astronomical Sections. These two sections were separated and placed under two officers, the Government Meteorologist and the Government Astronomer. The staff that was then available in the Observatory was also sub-divided and a part of it was given to the Astronomer. The staff the Government Astronomer gets consists of one Head Assistant on Rs. 40-70 and another assistant on Rs. 20 to 30.

The Government Astronomer has been complaining ever since that the staff given to him is inadequate and he has applied to Government for an additional clerk and a mechanic. Government are now approaching the House to sanction the additional mechanic that the Astronomer asked for. This mechanic has to be appointed because there are certain very valuable instruments in the Institution. To clean them, to look after them and to attend to minor repairs, it is desirable that a man should be specially appointed.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): That being the case, may I know why the appointment is now temporarily made?

MR. K. GEORGE (*Chief Secretary to Government*): Because Government want to review the position once again after the House sanctions this supplementary grant and to come to the House at the next Budget Session with a proposal for the permanent appointment of the mechanic, if it is considered necessary.

As I said the need for the appointment of a mechanic is real. There are certain valuable instruments which it would not be advisable to entrust to persons like peons. If a man with some knowledge of the mechanism of the instruments is appointed, he can attend to cleaning, repairs and other similar works and also help the Head Assistant and the Assistant in the regular work of the institution.

MR. REVATI NAL RAMA VAMRA RAJA (*Edavagai*): ഈ വിലപിടിച്ച ഇൻസ്ട്രുമെൻറ്സ് വരുത്തിയിട്ടു എത്ര കാലമായി?

MR. K. GEORGE (*Chief Secretary to Government*): Some were got down some years ago; but recently very important additions have been made.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*); ഇതുകളൊക്കെ ഇപ്പോഴും നന്നാക്കുകയും തുടയ്ക്കുകയും ചെയ്തുകൊണ്ടിരിക്കുന്നതാരാണ്?

MR. K. GEORGE (*Chief Secretary to Government*): I cannot say. It must be said that they have not been *very well* looked after—I mean the cleaning, oiling, etc. It used to be attended to by peons, which is not a proper arrangement at all.

MR. REVATI NAL RAMA VARMA RAJA (*Eduvayai*): സർക്കാർ പണം ചിലവു ചെയ്തു വാങ്ങിച്ച സാമാനങ്ങളും എല്ലാം ശരിയായിട്ടു സൂക്ഷിക്കുന്നില്ലെന്നാണോ പറയുന്നതു്?

MR. K. GEORGE (*Chief Secretary to Government*) : I did not say so. What I meant was that we had no *regular* arrangement by which the cleaning, oiling and looking after the instruments could be attended to.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : What is the qualification prescribed for the proposed mechanic?

MR. K. GEORGE (*Chief Secretary to Government*) : No qualification is prescribed. He must be a man who knows the mechanism of the instruments. He should be able to remove the parts, to clean and oil them and do sundry minor repairs. We have not yet decided as to the person who is to be appointed.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : No good mechanic would be available for the pay now offered.

MR. K. GEORGE (*Chief Secretary to Government*) : I am sure that for the pay now proposed we will be able to get a man who knows the elements of mechanism, which would be enough for the work that he has to do.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : Would the member kindly give us an idea of the instruments that we have in the observatory ?

MR. K. GEORGE (*Chief Secretary to Government*) : I have got a list of them here. They are—

1. The Transit Instrument.
2. The 7 ft. equitorial Telescope and its clock work.
3. The 4th Equitorial Telescope.
4. The 3rd Do. Do.
5. The 3rd Altazimuth.
6. The Sextants.
7. The solar spectroscope attached with the 7 ft. Equitorial.
8. The wireless sets.
9. The camera fittings etc., of the telescopes.
10. Other workshop accessories such as Lathes etc.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : In view of the instruments mentioned above which the mechanic now proposed to be appointed will have to attend to, I do not think that an efficient mechanic can be had for such a low pay as now proposed.

MR. K. GEORGE (*Chief Secretary to Government*) : No very great expert is required for the purpose.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : Does the member say that an expert is not required for adjusting telescopes, etc. ?

MR. K. GEORGE (*Chief Secretary to Government*) : I do not say that an expert is not required to adjust a telescope. But the mechanic

now proposed to be appointed is not required to adjust telescopes or attend to works of that kind. His duty is only to care for the instruments, to oil and clean them and to attend to minor repairs.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): With regard to the mechanic whose qualifications we are not able to gather, we wish to know whether he should be competent to adjust or repair astronomical telescopes?

MR. K. GEORGE (*Chief Secretary to Government*): I was speaking only of small repairs, minor repairs, which have to be attended to by the mechanic.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): With reference to telescopes, will the member give one instance of a minor repair?

MR. K. GEORGE (*Chief Secretary to Government*): Suppose some screw is gone. (*Laughter.*)

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Does not the member think that if an incompetent person is asked to do this work, the costly machine will be spoiled?

MR. K. GEORGE (*Chief Secretary to Government*): Yes, but it would be worse if no body does the work. It is to prevent that that it is proposed to appoint a mechanic. It would not be so difficult as members imagine to get a man who knows the elements of repairs on such a pay. That is all that is required.

PRESIDENT: I take it that the House sanctions the grant?

The grant was made.

LEGISLATION.

THE TRAVANCORE VILLAGE PANCHAYAT COURTS REGULATION AMENDMENT BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The next item of the business is the Final Reading of the Travancore Village Panchayat Courts Regulation Amendment Bill.

Before I make the motion, I want to move a formal amendment to the Bill. It is merely to fill up a blank. I therefore move that the figure '6' be inserted in Clause (1) after the figures 110 so that it may read 1106.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I second the motion.

The motion was accepted.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I now beg to move that the Bill be finally passed.

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): I second it.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): I oppose the motion that the Bill be finally passed.

It is my privilege to oppose the Bill for the third time. I opposed it at the last time but it was passed by a majority.

[Mr. A. S. Damodaran Asan.]

This Bill is intended to give sanction, legislative sanction, to the delay caused by the Government in making nominations at the proper time. Section (7) of the Village Panchayat Courts Regulation very clearly lays down that the Government shall appoint Judges of Village Panchayat Courts once in two years. According to this Bill the Judges so appointed may continue to serve as Judges until their successors are appointed.

Sir, when Judges are appointed, Government know that they are to continue only for 2 years; the Judges know that they are to continue only for 2 years and therefore there could be no ambiguity about the term of the Judges. This provision is not intended for meeting any contingency which might happen without any previous knowledge, like death, but it says that the man who has been appointed may continue till his successor is appointed. In other words, if a successor is not appointed for two years more the Judge who is originally appointed may continue as Judge of the Village Panchayat Court in spite of the fact that the Government have failed in their duty to act according to the provisions of Section 7 of the Regulation.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Even if this amendment is not passed, is there anything prohibiting Government from reappointing the same person as Judge for another term of three years.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Absolutely no difficulty in the way of the Government reappointing the same man. On the other hand, Government are quite at liberty to reappoint the same person. If they find that one Judge is earnest in his work, they could very well reappoint him. But when they are not prepared to remove him, he has to continue according to the provisions of this Bill as a Judge of the Village Panchayat Court. What I want to urge on the attention of the Government and the members of this House is that this is quite a simple matter in the administration and that there could not be any difficulty about it. It is not a matter where the Government had not the time to know of the fact sufficiently early. Therefore why should we the members of the Legislative Council give our approval to a Bill which indirectly admits that some delay is indispensable.

Sir, some of these arguments have been advanced by me on previous occasions, but unfortunately, I was not able to get a majority in support of my motion opposing the Bill. For the third time now, I oppose the final reading of this Bill and pray that the motion of the learned Law Member be rejected.

MR. A. THANU PILLAI (*Trivandrum*): Sir, I was strongly opposed to the Bill even in its earlier stages. I have now an additional reason which strengthens me in my opposition to the Bill. The Secretariat has now been reorganised and has been strengthened by the

appointment of more Secretaries. The Government should be expected, therefore, to be able to cope with this kind of work, instead of asking for facilities for putting it off and doing it whenever they find it convenient. They ought to be in a much better position now to attend to this duty promptly. On this additional ground also I believe this Bill seems to be unnecessary. Therefore I agree with Mr. Damodaran Asan in opposing the Bill.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): I also support the proposition and I wish to add a few words to what Mr. Damodaran Asan has said.

Sir, impartially looking at the matter any functioning Government ought to be ashamed to bring such a matter to the Legislative Council and seek its permission to pass it into Law. If this Bill is sanctioned it would mean that this House gives its sign of approval to an irregularity in the matter of appointments of Judges of the Village Panchayat Courts.

MR. K. GEORGE (*Chief Secretary to Government*): May I ask whether he is aware that there is a similar provision in the Municipal Regulation?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): If a Municipal Regulation containing such a clause has been passed by this House composed of some other members, that should not strengthen the argument of my friend that the members of this House should support such a foolish clause.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Was the Municipal Regulation passed in a Council with an elected majority?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): I am not aware of the progress of the Municipal Regulation because I was not a member of the Council which passed it and no question about it will elicit any definite answers from me.

I was side-tracked, Sir. The question before the House, put in short, is when the Government find themselves unable to cope with their work and thereby delay the appointment of a Judge, they allow the Judge whose period has expired and who has superannuated to continue in the place, until another man is appointed.

We are tempted to ask whether the Travancore Government machinery is properly functioning and if so what is the meaning of the Bill that is presented before the House now? What is the difficulty that confronts the Administrative Head to fill up a single vacancy which may arise once in three years. (Mr. Piraviperumal Pillai: Two years.) It may be two years or three years or periodical. For that purpose should an amending Bill be introduced in this House and the valuable time of the House be lost? Sir, it has become a notable feature of the Travanaore Government recently not only with reference to the vacancies in the Village Panchayat Courts and Bench Magistrate's Courts but with reference to the vacancies that occur in every branch of the administration from the High Court to downwards that in the

[Mr. K. P. Nilakanta Pillai.]

matter of appointments the Government do not seem to know what to do. They turn this side and that and commit all sorts of acrobatic performances and then finally it becomes a matter for surprise so far as the public are concerned. That has become the order of the day. What the present amending Bill seeks to do is to commit the members of the Council to saying:"All right, Government are inefficient and to the extent of the inefficiency that you can command you are allowed to be so and we permit you to make the appointment whenever you choose to do so and allow the man in the office to continue for as long a time as the Government may take to fill up the vacancy and appoint a new man". That is the meaning of the demand that has been made now before the House. It is rather surprising that the Government should require our sanction for this purpose and we cannot allow it to be passed without a word of opposition.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Sir, it was not my intention to speak on this motion, but my friend Mr. Nilakanta Pillai has now questioned the reasonableness of those members who opposed him. I am sorry I do not know what reason he had for saying so. After all, from what has been said I am reminded of the story in the Aesope's Fables and that we are fighting more for shadow than for the substance. I am reminded of the Arab, the Donkey and the Merchant in the story. What is the substance here? All of us want that our constituencies should not be without Judges. It is with that purpose, if I remember correct, this amending Bill is tabled. It is not the question of censuring Government and if that is so this is not the tool nor the time for remedying it. If this amending Bill is not passed the result would be that our constituencies will be without Judges for the Village Panchayat Court.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Do he mean to take it that the Government are prompt as regards the appointments?

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) That is not the point that I am discussing.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) What is the necessity for this amending Bill? That is my simp question.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) The necessity is, there should not be a court without a Judge.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know ho many Judges generally constitute the Village Panchayat Court?

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) That is not relevant to the issue now before the House.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): It is relevant.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) I rule the member out of order. (*Laughter.*)

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli* : D oes he suggest that officers even after their pensionable age should be retained till a successor is appointed?

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) : That does not arise here. (*Laughter.*)

Sir, all these things were discussed threadbare.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : If the Government are prompt there would be no vacancy at all.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Then what is the necessity for this? We are fighting for shadows. All that we have to see to is that our constituencies should not suffer for want of Judges in the Village Panchayat Court.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : Our constituencies will not suffer if the Government are prompt in appointing men at the proper time.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) : If Government do not appoint persons at the proper time there are other remedies. All that we want is that our constituencies should not suffer whether Government are delaying matters or not.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : May I know whether the member by supporting this provision does not encourage Government to be lax.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) : I do not quite follow the member.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : May I know whether he is for encouraging Government in being very lax in the matter of making appointments?

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): The member is at liberty to make any inference he pleases. But that is not what I meant.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Will not the constituencies suffer if a superannuated man is allowed to continue instead of making a fresh appointment?

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): After all, it is only an honorary post. All that we want to see is, as I said, that our constituencies should not suffer for want of Judges. Therefore I strongly oppose the opposition raised to the Bill with all the force that I can command.

MR. R. RAMAN PILLAI (*Kottayam*): സർ, മി. ദാമോദരനാശാന്റെ അഭിപ്രായത്തോടു് ഞാൻ പൂൎണ്ണമായി യോജിക്കുന്നു. ഒരു ജഡ്ജിയുടെ കാലാവധി തീരുകയും പകരം ഒരാളിനെ നിയമിക്കാതെയിരിക്കുകയും ചെയ്യുന്നപക്ഷം ആ കോടതി വെറുതെ ആയിപ്പോകുമെന്നാണു് ഒരു മാന്യസ്നേഹിതൻ ഇവിടെ പറയുകയുണ്ടായതു്. അഞ്ചോ ആറോ ജഡ്ജിമാരുള്ള ഒരു കോടതിയിൽ ഒരുമാസത്തേയ്ക്കു ഒരു ജഡ്ജിയില്ലാതെയിരിക്കുന്നതുകൊണ്ടു യാതൊരുദോഷവും വരാനില്ല. ഗവണ്മെന്റിനു്

[Mr. R. Raman Pillai.]

ഇഷ്ടമുള്ള കാലത്തോളം ഒരാളിനെ മാററാതെയിരിക്കത്തക്കവണ്ണമുള്ള ഒരധികാരം ഗവണ്മെൻറിൽ നിക്ഷേപിക്കാനാണ് ഈ വകുപ്പ് എന്നാണ് എൻെറ ബോദ്ധ്യം. മുനിസിപ്പൽ റഗുലേഷനിൽ ഇതുപോലെ ഒരു വകുപ്പുള്ളതായിട്ടറിയാമോ എന്ന് പണ്ഡിതനായ ചീഫ്സെക്രട്ടറി അവർകളോട് ചോദിക്കുകയുണ്ടായി. കോട്ടയം മുനിസിപ്പാലിററിയിൽ ഒരു മെമ്പറെ തിരഞ്ഞെടുത്തിട്ട് രണ്ടു കൊല്ലമായി. ഇലക്ഷൻകേസ്കൊടുത്തിട്ടും പേഷ്കാരുടെ കയ്യിൽ കിടക്കയാണ്. ഇന്നും പഴയമെംബർതന്നെ ആ സ്ഥാനത്ത് ഇരിക്കുന്നുണ്ട്. ഈ സംഗതി ഹജൂരിൽ ഏതുനിലയിൽ കിടക്കുന്നുഎന്നു ഞാൻ ചോദ്യവും അയച്ചിട്ടുണ്ട്. ഇതുവരെയും മറുപടി കിട്ടിയിട്ടില്ല. മുനിസിപ്പൽ റഗുലേഷനിലും ഇതുപോലെ ഒരു വകുപ്പുകിടക്കുന്നതിൻെറ ഫലമാണ് ഇത്. അതുകൊണ്ടു ഇങ്ങനെ ഒരധികാരം ഗവണ്മെൻറ് വച്ചുകൊണ്ടിരിക്കാൻ പാടില്ല എന്ന അഭിപ്രായത്തോടുകൂടി ഞാൻ മി. ആശാൻെറ അഭിപ്രായത്തെ പൂർണ്ണമായി അനുകൂലിക്കുന്നു.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Sir, as one who supported the Bill in all its stages I think it is due to me to say a few words. The principle of the Bill was affirmed by a majority of this House. It came in for second reading once again before the House. The very same opposition was raised by my friend and on both occasions my friend was not able to enlist the sympathy of the majority of the House to his opposition. He is perfectly within his rights in raising his opposition once again at the third reading of the Bill and I may compliment him on his courage and perseverance even when his attempts had been unsuccessful on the last two occasions. What we are now concerned with is not whethe the Government are doing their duty properly, whether this House i giving a *carte blanche* to the Government to neglect their duty. I an sorry that that aspect of the question has been introduced in connectio with this measure which after all is purely a legislative enactment.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Whe there is an obligation under a law to do a certain thing and when tha is ignored and when it is condoned, is it likely that the officer entruste with that duty will do it?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): We are not living in an age when human nature is absolutel perfect. In spite of all our idealism let us take notice of the fac that human institutions and Governments and individuals have go their own defects and so long as human nature continues to be defectiv it is the duty of the legislature to make ample provision against an serious miscarriage of justice or failure of public interest so far as it i possible by a preventive measure.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): May I know what stands in the way of a Government officer doing his duties at the proper time?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Absolutely nothing except that the machinery of the Government is a complicated machinery and is naturally prone to move very slowly. Why should we ignore the realities of life? After all, as I submitted on an earlier occasion—

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Is not legislation meant for remedying latches of mankind?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): If individuals realise their responsibilities legislation would be unnecessary and there will be no necessity for courts of law.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Here it is not a question of individuals but the question of law and Government.

MR. R. RAMAN PILLAI (*Kottayam*): റസ്പാൺസിബിലിററിയെ ഉപയോഗിക്കാതെയിരിക്കത്തക്ക നിലയിൽ ആക്കി വച്ചിരിക്കുന്നതു് നല്ലതാണെന്നാണോ മി. കൃഷ്ണയ്യങ്കാർ പറയുന്നതു്?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Certainly, it is a consummation devoutly to be wished that things are done in time. But as a matter of fact things are not done in time. That is what we find everywhere. And so long as we find it to be so everywhere in ourselves and in others around us, what is the real danger to public interest in this innocuous provision?

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Is there a corresponding provision in the Madras Act?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Could we not improve upon the state of things there?

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Is this an improvement?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I honestly think so.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Can we improve upon Parliamentary Procedure?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Things have not so completely settled that we should adopt it *en masse* without any alteration. After all these statutes are devised by human intellects and they are much better developed there than some of us here. But it is not beyond our intellectual resources occasionally at any rate to come across cases where we honestly believe we can improve upon the statute law of British India or of England. Let me just proceed. We should not in dealing with this piece of legislation stress the fact that there has been what is popularly considered to be unconscionable delay in filling up certain appointments. It

[Rao Bahadur K. A. Krishna Aiyangar.]

is a matter of high State policy into which I do not propose to enter at all. My friend Mr. George drew the attention of Mr. Nilakanta Pillai to a similar provision in the Municipal Regulation.

MR. R. RAMAN PILLAI (*Kottayam*) : അതുകൊണ്ടു വന്നിരിക്കുന്ന ആപത്തിനെപ്പററി ഞാൻ പറഞ്ഞതും കേട്ടിരിക്കുമല്ലോ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : I prefectly remember Mr. Raman Pillai's observations and I shall make a passing reference to it.

Mr. Nilakanta Pillai said that it is a foolish piece of legislation. I must plead guilty for having contributed to the folly myself because I was a member of the Legislative Council and Select Committee that shaped it. For ten years I was also a Municipal President at Alleppey and practically working that measure and from my experience I think that some such safeguards ought to be provided. There was greater justification, I may say, so far as the municipal affairs are concerned. The right of election was conferred on all these institutions in Travancore. All the members were elected simultaneously and all their names were published simultaneously and all of them took their seats simultaneously and on the expiry of three years all of them should vacate. Who is to run the show? That is the difficulty we felt. Public interest ought not to be allowed to suffer because there is some delay on the part of the executive in settling the details to make the necessary adjustments. The elections had to be held, objections heard and disposed of, the right of appeal would be exercised, all that will take some time. In the meantime is the Council to be suspended ?,

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : No difficulty will arise in this case. There is no election or the right of appeal here.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : I think Mr. Nilakanta Pillai will concede that after all it is not such a foolish piece of legislation to which some of us gave our blessing years ago. The Municipality should not be kept as I said under suspended animation, somebody should be there to carry out the provisions of the Regulation in the interest of public health, sanitation, etc.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : What I meant was that if a similar provision happened to be found in some Regulation that according to me is foolish and that there is no necessity to follow it.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Quite so. Of course, reference was made to the existence of the provision in the Municipal Regulation which enabled the Council to continue its activities as a local self-governing body until the formaities laid down by law are carried out. There may be some instances where things are not done quickly. It is due to the circumstances in which particular institutions are working. Only let us not ignore

the fact that difficulties may arise with the best of intentions on the part of the responsible public servants. Occasions may aris wh n there may be delay. My friend asks, is it not a case where Government could have contemplated and made necessary provision in advance. No doubt, I wish the Government to do it much in advance of the vacancies but occasions do arise when without any blame on the part of any particular individual when this could not be done. And in the interests of the public and not for the purpose of preserving the reputation of responsible officers of Government who may be entrusted with the task of the administration for the time being, nothing is lost by this provision being put in which avoids a serious situation when these autonomous institutions cease to function. I can think of a time when all our local Self-Government institutions will have been filled up by members elected from the people. That certainly is the ideal towards which all of us are working. Elections will necessarily take place simultaneously. There may be interim elections when a particular member resigns or dies or is adjudicated insolvent. But generally speaking there may be cases when all the members automatically vacate their seats. Then what is the remedy? The question may be asked how do they run in British India. My answer is that they do not satisfactorily run the show and they face difficulties and when you are actually experiencing such difficulties I do not know what objection could there be to this provision. It is not an attempt to condone the fault of any particular individual it is not an attempt to give license to Government to neglect their duty. There may have been instances of delay due to causes not open to the public. There may have been instances where greater expedition was possible but that ought not in any way influence our consideration in dealing with this particularly innocuous measure and for all the reasons that have been urged against Mr. Asan on the two earlier occasions I trust the House is not going to stultify itself by rejecting this measure at this stage. I concede that Mr. Asan has a right to object to the measure on all the occasions, but while appreciating his courage and persistence I appeal to my friends as a whole that they should not in the fair name of this House throw out this piece of Legislation merely because there have been some instances where there has been delay. Mr. Raman Pillai said that there was one case where the election enquiry took a little over two years. I am so sorry for it, and he has my sympathy but that could not be cured by putting in another provision in the Municipal Regulation which would make matters worse than it is at present. Now you have got a statutory strength to run the Municipality. Otherwise if we accept the other provision it means that institutions will cease to function I ask my friend to look at that side of the picture and I leave it to him to say whether if after all the object is to invite the attention of the Government to the delay, this discussion will not serve the purpose. With these observations I support Mr. Kayalam Paramesvaran Pillai's motion and oppose the objection raised by Mr. Damodaran Asan.

MR. P. S. MAHOMED (*Nominated*) : ഇവിടെ നടന്നതായ വാദപ്രതിവാദത്തിൽനിന്നു രണ്ടുസംഗതികളാണു ഗ്രഹിക്കാൻ സാധിക്കുന്നതു്. ഒന്നു പൊതുജനരക്ഷ, മറെറാന്നു ഗവൺമെൻറു മെഷീനറിക്കു പററുന്ന ചിലതട്ടു്. ഈ ബില്ലുകൊണ്ടു് ഗവൺമെൻറു കൂടുതൽ അലസന്മാരായിത്തീരുമെന്നോ അതുകൊണ്ടു അവർ ചെയ്യേണ്ടുപ്രവൃത്തി തക്കസമയത്തു പ്രവൃത്തിക്കയില്ലാ എന്നോ ഉള്ള ശങ്കയാലാണു മിസ്റ്റർ ആശാൻ ഇതിനെപ്പററി എതിർത്തു പറഞ്ഞതു്. ഈ ബിൽ അനുവദിയ്ക്കാതിരിക്കുന്നതുകൊണ്ടു ഗവൺമെൻറിനെ കൂടുതൽ ചൂട്ടുപിടിപ്പിക്കാമെന്നു തോന്നുന്നില്ല. നേരെമറിച്ചു പൊതുജനരക്ഷയ്ക്കു വില്ലേജ് പഞ്ചായത്തു് റഗുലേഷനിൽ ഇങ്ങിനെ ഒരു പ്രൊവിഷൻ ഇല്ലെങ്കിൽ മിക്കപ്പോഴും കോടതികളിൽ ജഡ്ജിമാരുടെ കോറം തികയാതെ അവർ നടത്തേണ്ട സംഗതികൾ വേണ്ടവിധത്തിൽ നടത്തുന്നതിനു നിവൃത്തിയില്ലാതായിത്തീരുന്നതാണു്. ഈ ജഡ്ജിമാരെ ആദ്യം പഞ്ചായത്തുകോടതി ഉണ്ടായകാലത്തിൽ എല്ലാവരേയും ഒരേസമയത്തു് നിയമിച്ചതാണു്. അതിനുശേഷം ചിലർ രാജിവച്ചും മററു ചിലർ മരിച്ചും ആണു് ഈ ഒഴിവുകൾ ഉണ്ടാകുന്നതു്. അതിനു് ഓരോനിയമനവും ഉണ്ടാകും. ഭൂരിപക്ഷം ജഡ്ജിമാരുടേയും കാലാവധി തീരുന്നതു് മിക്കപ്പോഴും ഒരേ സമയത്താണു്. ആ അവസരത്തിൽ ഇങ്ങനെ ഒരു പ്രൊവിഷൻ ഇല്ലാതെ വരുന്നു എങ്കിൽ തക്കസമയത്തു ജഡ്ജിമാരെ നിയമിക്കാതെയിരിക്കുന്നതു് നിമിത്തം സാധുക്കളായ പൊതുജനങ്ങൾ വളരെ സങ്കടപ്പെടുന്നതാണു്. അങ്ങനെ അവർക്കു സങ്കടം ഉണ്ടാകാതിരിക്കുന്നതിനു വേണ്ടി ഈ സ്ഥാപനത്തെ സുരക്ഷിതമാക്കുകയാണു നാം ചെയ്യേണ്ടതു്. അല്ലാതെ ഗവൺമെൻറിനെക്കുറെക്കൂടി ചൂട്ടുപിടിപ്പിക്കുന്നതിനു് ജനങ്ങളുടെ രക്ഷയെ മറന്നുകളയുന്നതു ശരിയല്ല. ഗവൺമെൻറിനെ പ്രോത്സാഹിപ്പിച്ചു് കൂടുതൽ ഉത്സാഹഭരിതരാക്കി കൂടുതൽ കൃത്യബോധവും ശ്രദ്ധയും ഉള്ളവരാക്കിത്തീർക്കുകയാണു നാം ചെയ്യേണ്ടതു്. അങ്ങനെ അവരെക്കൊണ്ടു പ്രവൃത്തിപ്പിക്കയല്ലാതെ പൊതുജനങ്ങൾക്കു ദൂഷ്യംവരത്തക്കനിലയിൽ പ്രവൃത്തിക്കാൻ പാടില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*) : ഈ ചുരുങ്ങിയ കാലത്തിനിടക്കു് നിയമനം നടത്തുമെന്നു് വിശ്വസിക്കുന്നതു് എങ്ങിനെയാണു്?

MR. P. S. MAHOMED (*Nominated*) : തക്കസമയത്തു് നിയമനം നടത്താതിരിക്കുന്നു എങ്കിൽ അവരുടെ പേരിൽ നമുക്കു സെൻഷർചെയ്യാൻ

സാധിക്കും. അങ്ങിനെയുള്ള ഉദ്യോഗസ്ഥന്മാരെ നിയമിക്കാൻ തന്നെ പാടില്ല. അതു ഗവണ്മെൻറു ഉദ്യോഗസ്ഥന്മാരെ സംബന്ധിച്ചാണ്. എന്നാൽ പൊതുജനങ്ങളുടെ രക്ഷയ്ക്കു് ബാധകമായ യാതൊരു സംഗതിയും ചെയ്യാൻ പാടില്ല. അതുകൊണ്ടു ഈ ബില്ലിനെ ഞാൻ അനുകൂലിക്കുന്നു.

MR. A. G. MENON (*Parur*): I was one of those who supported the Bill at the initial stage and I am supporting it still for this reason that all the criticisms levelled by my friends are only a reflection of that opinion which is prevalent among us all viz., the scandalous delay in filling up the responsible posts that has been observed in recent times. (Mr. K. P. Nilakanta Pillai: Hear, hear.) That has nothing to do with this Bill.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): What is the object of this Bill?

MR. A. G. MENON (*Parur*): The public should not suffer for the fault of any individual whether he is official or otherwise.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): May I know whether he is supporting the Bill or the opposition?

MR. A. G. MENON (*Parur*): I am supporting the Bill as it is and not the opposition. Of course, some people said that the Municipal Regulation has got a provision and that is not a good Regulation. All the members here will grant that the Municipal legislation is one of the foremost legislation in point of perfectness everywhere in this world. I do not think that any Act concerning Municipalities will be found without a clause similar to this. Mr. Asan suggested that there is no provision in the Village Panchayat Courts Regulation in British India.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Does not the absence of a provision like this make the Government more vigilent.

MR. A. G. MENON (*Parur*): Government may be at times indifferent to the welfare of the public, but the public themselves should not be indifferent to their welfare. With these observations I support Mr. Parameswaran Pillai's motion.

MR. K. GEORGE (*Chief Secretary to Government*): It has been mentioned in this House that the object of bringing an amendment of this nature is to give a free hand to Government to postpone filling up of vacancies of Judges and Magistrates in the Village Panchayat and Bench Magistrates' Courts. The motion is not that; it is not the idea of Government to postpone filling up of vacancies. As has been explained by certain members on the other side, if a vacancy of a judgeship in a court is not filled, the public should not be put to any difficulty on that core. Notwithstanding all that has been said here, in the working of any human institution, there is likely to be some jarring, some time or other. It is always the intention and the effort of Government to fill up vacancies that occur in Panchayat Courts promptly. There are extraordinary occasions when it is not possible for Government to

[Mr. K. George.]

make the appointments in time. The object of the amendment now proposed is, that courts should not suffer in functioning and public interests should not be jeopardized, owing to the non-appointment of judges.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know from the Chief Secretary to Government whether it is the intention of the Government to give extension to persons who have passed 55 where a successor could be appointed?

MR. K. GEORGE (*Chief Secretary to Government*): I do not see how Mr. Asan's question has to do with the matter under discussion.

I am speaking of the difficulties, which the public will be put to, if a court does not properly function. There are certain instances in which the delay is not on the part of Government. There are occasions when Government have taken timely measures for appointing suitable persons. I only say it has not been *always* possible to fill up vacancies at the proper time on account of certain difficulties.

The procedure that is now followed in the matter of filling up of vacancies of Bench Magistrates and Judges, is this. A month or two before the expiry of the term, that is before the vacancy occurs, Government ask the District Magistrate to send up recommendations regarding nominations.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): ഡിസ്ട്രിക്ട് മജിസ്ട്രേട്ടിന്റെ പക്കൽ ഇവരുടെ കാലാവധി എന്നു തീരുന്നു എന്നുള്ളതിനു വല്ല റിക്കാർഡുമുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): Oh, Yes. There is the Civil List which gives the list of Magistrates and the date of termination of the vacancies. Besides that, Government request the District Magistrates in advance to send up nominations.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): May I know whether the Government could not save time, by asking Peishkars to ask the Tahsildars to make nominations themselves instead of delegating it to the Proverthicars?

MR. K. GEORGE (*Chief Secretary to Government*); There is a circular from Government that nominations should be made by the Peishkar personally. I do not know whether that duty goes down to the Proverthikar.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Suppose my friend takes it from me as the correct information, will the Government ask the Tahsildar to make recommendations himself, instead of getting the opinion of the Proverthikar? I presume that the Tahsildar is conversant with important personalities in the taluk.

MR. K. GEORGE (*Chief Secretary to Government*): He must be. If the Tahsildar sends it down to the Proverthikar, it is against the intentions of the Government. Government have expressly required the District Magistrates that nominations should be made by themselves. Of course they are expected to do their duty properly and

perhaps, it may be, as the Deputy President now says, they may be getting the lists from the Proverthikars in the first instance. But that is not the intention of the Government. However, Government will bring it to the notice of the District Magistrates and ask them to follow Government's suggestion.

MR. REVATI NAL RAMA VARMA RAJA (*Eduvagai*): ഡിസ്ട്രിക്ട് മജിസ്ട്രേട്ടിന്റെ പക്കൽനിന്നും എഴുതിവന്നിട്ടാണോ ഗവൺമെന്റ് ഈ കാര്യത്തിൽ പ്രവേശിക്കുന്നത്?

MR. K. GEORGE (*Chief Secretary to Government*): No. Government take sufficiently early steps to apprise the District Magistrates of the approaching vacancies and call for the nominations for the same.

MR. REVATI NAL RAMAVARMA RAJA (*Edavagai*): ഗവൺമെന്റിന്നു അതെങ്ങിനെ മനസ്സിലാകും?

MR. K. GEORGE (*Chief Secretary to Government*): They have got the Civil List before them and full details can be had from it.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagui*): സിവിൽ ലിസ്റ്റ് നോക്കി ഉടനെ ഗവൺമെന്റ് നടപടി നടത്തുകയാണോ, അതല്ല ഡിസ്ട്രിക്ട് മജിസ്ട്രേട്ട് എഴുതി അയച്ചശേഷം ഗവൺമെന്റ് നടപടി നടത്തുകയാണോ?

MR. K. GEORGE (*Chief Secretary to Government*): No, that is not so. Sometimes it occurs like that. The initiative is taken by Government and they do it sufficiently early. Government want the District Magistrates to personally certify about the character, antecedent, education, social position and all that, of the nominees they recommend. Sometimes, difficulty happens in selecting proper men, and there have been occasions in which representations and petitions have come to Government just at the time of the nominations. So that, difficulties sometimes occur, and to avoid the courts to function properly, an amendment of this kind is brought forward.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) Sir, on two previous occasions the mover of this Bill had occasion to explain the real necessity for this measure. It seems however to be taken by the other side, that it is with a view to give premium to delays in the matter of appointments, that this measure is introduced. Let me try to explain once again the real object of the measure. By the introduction of this amendment, what is sought to be achieved is that no Courts should cease to function though no Judge is appointed at the proper time. Sometimes by mischance or accident it may not be possible for Government to fill up vacancies at the nick of time. To avoid such contingencies this measure is introduced.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*): May I know what is the nature of mischance that is anticipated?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I shall explain. If it so happens that appointments are not made in time, a court could not work without judges; administration of justice will suffer thereby. It is to avoid such a state of things that I have proposed this measure. Various questions have been asked; members say that Government could easily know when such a vacancy would arise, and, as Government know the fact of the vacancy, why should they delay in the matter of appointing a substitute. That is quite true. But it will be conceded by everybody, that because a vacancy is to come at a particular date, Government cannot think of appointing a substitute *very early* very long before the vacancy occurs. For example if a vacancy is to come in Chingom 1101 Government cannot think of appointing a substitute in 1099 or even in 1100. There must be only some short time within which Government can and should think of appointing a successor, having regard to the eligibility and respectability and other qualifications of the candidate to be chosen. These things have to be considered with particular reference to the time when vacancies occur that is, with reference to the present and not with reference to the past. So even though Government may know that appointment is to be made at a particular date they cannot be expected to think of nominating a substitute very long before. Government should ascertain the respectability, at or about the particular time. What the Government now do is to take up the question about two months before a particular vacancy occurs. I hope the House will now appreciate that sometimes it may happen that it may not be possible for the Government to effect an appointment in time. As Mr. George said it is th Peishkars who have to make nominations. About two months befor the expiry of the period the question of appointing a successor is take up by Government. When the Peishkar sends up his recommendation that will have to be scrutinised and sometimes has to be sent bac for a re-enquiry. Can it not be conceded then that sometimes it ma not be found possible to settle the question finally within the expecte two months. The respectability of persons has to be enquired into..

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): I respectability is such a fluctuating factor, will not the same difficult arise, in regard to the existing Judge when nominations take place afte two years?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirka Vakil*): I have provided for that. The proposed clause says. "Unles Government otherwise direct" there is a provision like that and Govern ment are not-bound to continue the existing Judge; I do not howeve mean to say that respectability is a fluctuating factor. What I mea is that it is with reference to a particular time the most suitable ma has to be selected for the post, and that selection will take some tim and is bound to take some time. We must consider the persons avail able in the locality and eligible for the appointment. So, in 1101 if w have to select a man, that selection has to be made not in 1099 or i 1100 but say two months before the vacancy occurs. Therefore it i likely, sometimes, that some mischance of this kind occurs. It is not th

intention of Government to delay the matter indefinitely. Neither do the Government want to shirk their responsibilities in the matter of filling up of vacancies. It so happens that when a particular nominee is suggested his appointment has to be scrutinised. All these will take up time.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): How is this done at Madras? Is not the same difficulty felt, by the Madras Government?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I have not got the Madras Act just now. I doubt very much whether there is a provision there that judges will continue only for two years. Their village court system is different I think.

I hope the House will consider that it is not with a view to allow premium to delays or laziness on the part of Government, but it is to provide against some unfortunate contingencies in the interest of the public and the administration of justice, that a measure of this kind is proposed to be passed.

PRESIDENT: Then I think votes could be taken.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): To ascertain the sense of the House—

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): He has no right to speak. Mr. Asan is only opposing and not moving any amendment.

PRESIDENT: Those who are for the motion, please raise their hands.

On counting it was found there was 27 *for* and 13 *against*.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): I demand a poll in view of the fact that we have a non-official majority.

A poll was taken with the following result.

AYES—27.

1. Mr. L. A. Bishop.
2. „ I. C. Chacko.
3. „ V. Chellam Pillai.
4. „ R. Dhanukoti Pillai.
5. „ K. George.
6. „ P. Gomatinayakam Pillai.
7. „ D. Francis.
8. „ A. G. Menon
9. „ D. C. Joseph
10. „ K. C. Karunakaran
11. „ K. N. Kesavan Namputiripad
12. Rao Bahadur K. A. Krishna Aiyangar.
13. Mr. P. N. Krishna Pillai.
14. Rao Sahib Dr. N. Kunjan Pillai.
15. Mr. T. K. Madhavan Nayar.
16. „ P. S. Mahomed.
17. „ Matthew Murikkan.
18. „ E. G. McAlpine.
19. „ G. P. Nilakanta Pillai.
20. „ R. Nilakanta Pillai.
21. „ Kayalam Paramesvaran Pillai.
22. „ K. G. Paramesvaran Pillai.
23. „ S. Piraviperumal Pillai.
24. Dr. K. Raman Tampi.
25. Mr. S. C. H. Robinson
26. „ R. Vaidyalingom Pillai.
27. „ J. S. Westerdale.

NOES 13.

1. Mr. A. S. Damodaran Asan
2. Mrs. Elizabeth Kuruvila.
3. Mr. R. Kesava Pillai.
4. ,, T. C. Kesava Pillai
5. ,, N. K. Krishna Pillai.
6. ,, K. Madhavan Pillai.
7. ,, H. B. Mahomed Rowther.
8. ,, K. P. Nilakanta Pillai
9. Mr. Muruvelil Pachu Pillai
10. ,, L. R. Raja Raja Varma Koil Tampuran.
11. ,, R. Raman Pillai.
12. ,, Revati Nal Rama Varma Raja.
13. ,, A. Thanu Pillai

NEUTRALS 5.

1. Mr. Ittoop Itteechan
2. ,, Tamarapallil Kochu Tomman
3. Mr. V. S. Krishna Pillai
4. ,, A. C. Kuriakose.
5. ,, K. Padmanabha Panikkar.

The motion was declared carried.

PRESIDENT : We will pass on to the next item.

THE TRAVANCORE FOOD ADULTERATION BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I rise to present the Report of the Select Committee on the Travancore Food Adulteration Bill and beg to move that the Bill as reported by the Committee be taken up for consideration.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : I second it.

PRESIDENT : The Bill has to be taken up Clause by Clause. The preamble and the title of the Bill may be considered after all the Clauses are dealt with. I see so far as the first Clause is concerned there are no amendments. The question is that Clause 1 of the Bill do stand part of the Bill.

The motion was carried.

Clause 2.

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*) : I move the following motion.

Delete the definition of "Local Food Inspector" as revised by the Select Committee and substitute the following definition in the original Bill.

In the original Bill it reads thus :

" Local Food Inspector means any person appointed by Our Government or under Rules made by Our Government to exercise the functions of a local Food Inspector under this Regulation for any local area."

In the Bill as revised by the Select Committee the definition is this. "The local Food Inspector means, any officer not below the rank of a Taluk Tahsildar appointed by Our Government or under Rules made by Our Government to exercise the functions of a local Food Inspector under this Regulation for any local area ".

If the definition as accepted by the Select Committee is enacted, it would bring practical difficulties in the application of this Regulation. According to the definition as revised by the Select Committee, an officer

not below the rank of a Taluk Tahsildar has to be appointed as a Local Food Inspector. A Taluk Tahsildar has got many duties to perform and if he is made the Local Food Inspector also, the working of the Regulation may not be as efficient and satisfactory as we desire. To suggest it effectively, I would point out one instance. In some of the Taluks of our State, there are Tahsildars who are Magistrates as well.

MR. MATTHEW MURIKKAN (*Vaikam*): Does my friend say that the suggestion of the Select Committee refers to Tahsildars alone?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): I suggested only one example. Suppose a Tahsildar is appointed as Local Food Inspector who is a Magistrate as well. If offences are to be charged before Magistrates, and if Tahsilder is the Local Food Inspector, and if the very same Tahsildar is Magistrate also, then the offence taken cognisance of by that Tahsildar may not be committed before himself. For example, in Pattanapuram, we have got a Tahsildar who is a Tahsildar and a Magistrate. If an offence is taken cognisance of by that Tahsildar, he cannot charge that offence before the Magistrate of the very same taluk because for that particular taluk both the Magistrate and the Tahsildar are one and the same person.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): May I know from the member how many Tahsildars are there who are also exercising magisterial functions?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): I think there are five.

Then there is another difficulty. The Tahsildars and officers who are placed in the same rank as Tahsildars, have got some position and status in the rank of officers. They may not find it always agreeable to go to certain places.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Will the member take it from me that there are only three Tahsildars who are Magistrates as well.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): I am subject to correction.

These Tahsildars may not always find it congenial to go to coffee and tea shops and sometimes to toddy shops, to examine the purity of foods provided for consumption there. So it would be better—

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Does Mr. Kesava Pillai say that the Tahsildar would be finding it uncongenial by going there?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): It is not always that a Tahsildar goes. He can delegate somebody else for that purpose. For the effective working of the Regulation it would be better if the Inspector who is appointed for that purpose goes and visits the shops, where foods are provided for consumption.

[Mr. R. Kesava Pillai.]

By another clause, the Tahsildar can delegate his powers to some other persons who are placed in similar ranks. In the matter of delegation, we have to consider one important matter. Delegation must always be to a person who has got some definite status and position.

PRESIDENT : Mr. Kesava Pillai, since there appears to be some discrepancy in a statement of fact, I am asking the officers of Government to give you the correct information. You stated that the number of Tahsildars who exercise magisterial functions is five and another member said that there are only three in number.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : May I know from the Chair how it materially affects the point at issue.

PRESIDENT : When there is some difference in some statement of fact, the House should be entirely put in possession of accurate facts. I have just asked the official member in charge of that Department to place the correct number before the House.

Mr. Kesava Pillai, you may proceed.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): All right. The Tahsildar has powers to delegate to a subordinate. He must entrust this task to an officer who can discharge duties as efficiently as himself. Then I can understand the position. In a taluk like Pattanapuram or in any other similarly situated areas, it is not likely that a Tahsildar could find a person who is similarly placed as he is. One of the officers who may be found worthy of delegation so far as this matter is concerned, may be a Munsiff. It would be absolutely impossible for a Munsiff to undertake this task also as he has many other duties to perform. Even if a Munsiff accepts this office he may find himself in an awkward situation because there are Munsiffs who are exercising magisterial functions also and so a Munsiff who has taken a delegation has to come before himself for the purpose of trying this offence. Such being the case if this amendment is accepted as it is, then that would create endless difficulties in the matter of application of the Bill that is going to be passed into law. So, I submit that the definition of the Food Inspector as revised by the Select Committee must be deleted and the definition as found in the original Bill be retained for the proper working of this Regulation.

MR. V. CHELLAM PILLAI (*Tovala*) : ഏതുതരം ശമ്പളക്കാരെ ഏല്പിക്കണമെന്നാണ് മെമ്പറുടെ അഭിപ്രായം?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : എനിക്കതിനെസംബന്ധിച്ച് ഒരഭിപ്രായമില്ല. ഈ ബില്ലിൽതന്നെ ഗവൺമെൻറിൻെറ യുക്തംപോലെ ചെയ്യാമെന്നാണ്.

MR. V. CHELLAM PILLAI (*Tovala*) : തഹശീൽദാരുടെ റാങ്കിൽ കുറഞ്ഞ ആളുകളെയും ഏല്പിക്കാമെന്നല്ലേ?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): അതേ.

MR. V. CHELLAM PILLAI (*Tovala*): തഹശീൽദാരുടെ റാങ്കിലും കുറഞ്ഞ ആളുകളെ ഏല്പിക്കാമെന്നാണോ മെമ്പറുടെ അഭിപ്രായം?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ശരിയായ ഉദ്യോഗസ്ഥന്മാരുണ്ടെങ്കിൽ തഹശീൽദാരുടെ റാങ്കിൽ കുറവാണെങ്കിലും ഏല്പിക്കാം.

MR. V. CHELLAM PILLAI (*Tovala*): പ്രവൎത്തികാരേയും ഏല്പിക്കാമെന്നാണോ പറയുന്നത്?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ഗവണ്മെൻറിൻെറ യുക്തംപോലെ ചെയ്യാം.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): മി. ആർ. കേശവപിള്ളയുടെ അമൻറുമെൻറിനെ ഞാൻ പിൻതാങ്ങുന്നു.

I support Mr. R. Kesava Pillai's position. In making a few observations regarding his amendment, I have to place before you the following facts for careful consideration.

MR. V. CHELLAM PILLAI (*Tovala*): Is the member in order?

PRESIDENT: You started speaking in Malayalam. You could have continued in that language.

MR. T. C KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): I began in Malayalam and somebody objected to that. Now I leave it to your decision.

PRESIDENT: It is better you continue in Malayalam.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ഗവണ്മെൻറിനു പല അവസരങ്ങളിലും അബദ്ധം പററുകപതിവുണ്ട്. മുനിസിപ്പൽ റഗുലേഷൻ, വില്ലേജ് പഞ്ചായത്ത് എന്നിങ്ങനെ പലതരത്തിലുള്ള നിയമങ്ങൾ ഇവിടെ കൊണ്ടുവരുന്നുണ്ട്. എന്നാൽ അവയെല്ലാം തിരുവിതാംകൂറിനകത്താണ് ഉപയോഗിക്കേണ്ടത്. ഇതിനകത്തു അനേകം യൂനിട്ടുകൾ ഉണ്ട്. ഈ ഫുഡ് അഡൽട്ടറേഷൻ ബിൽ ഏതു് അതിൎത്തിയ്ക്കകത്താണ് ഉപയോഗിക്കാൻ പോകുന്നതെന്നു വിശദീകരിച്ചു കാണുന്നില്ല.

PRESIDENT: How is that relevant to the amendment now before the House? You had better confine yourself to the amendment before the House than make rambling remarks about the whole of the Bill.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): അമൻറുമെൻറിനെപ്പററി പറയുന്ന അവസരത്തിൽ അതു സ്വീകാരയോഗ്യമാക്കിത്തീൎക്കണമെന്നുവരുകിൽ ബില്ലിൽ ഉള്ളതും ഞാനുദ്ദേശിക്കുന്നതുമായ തെററുകളെ ചൂണ്ടിക്കാണിച്ചു പറഞ്ഞാൽമാത്രമെ എൻെറ വാദം

[Mr. T. C. Kesava Pillai.]

ശരിയാണെന്നു കൌൺസിലിനെ ബോദ്ധ്യപ്പെടുത്താൻ സാധിക്കുകയുള്ളു. മുനിസിപ്പാലിററിക്കകത്താണെങ്കിൽ മുനിസിപ്പൽ പ്രസിഡൻറ് ഈ അധികാരം വഹിക്കേണ്ടിവരും. അതുകൊണ്ടു തഹശീൽദാർ എന്നു പ്രത്യേകിച്ച് ഒരുദ്യോഗസ്ഥനെ ചുമതലപ്പെടുത്തിക്കാണിക്കുന്നതിനുപകരം സിലക്ട് കമ്മിററി പുതുക്കുന്നതിനു മുമ്പെയുള്ള ബില്ലിൽ കാണുന്നതുതന്നെമതി എന്നാണ് എൻെറ അഭിപ്രായം.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): ഹെഡ് ഇൻസ്പെക്ടറായിട്ട് ആരെ ആക്കണമെന്നാണ് മി. കേശവപിള്ളയുടെ അഭിപ്രായം?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): വില്ലേജ് പഞ്ചായത്തു നടപ്പിൽവന്നാൽ സാനിട്ടറി ഇൻസ്പെക്ടറെ നിയമിക്കാം.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): വരാൻപോകുന്ന സംഗതികളെ കൂടി പരിഗണിച്ചു നിയമനം നടത്താൻ സാധിക്കുമോ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): അപ്രകാരം ഒന്നു വരുന്ന അവസരത്തിൽ ഒരു അമൻറുമെൻറു കൊണ്ടുവരിക എന്നുള്ളതു അസാദ്ധ്യമാണ്. അതുകൊണ്ട് ആ തത്വത്തെക്കൂടി മുൻനിൎത്തി നാം നിയമം പാസാക്കണമെന്നു ഞാൻ ഈ സഭയെ അറിയിച്ചുകൊള്ളുന്നു.

MR. P. S. MAHOMED (*Nominated*): മിസ്റ്റർ കേശവപിള്ളയുടെ അമൻറുമെൻറിനെ ഞാൻ എതിൎക്കുന്നു. ഹെഡ് ഇൻസ്പെക്ടർ എന്നുള്ള പേരിൽ ഒരാളെ നിയമിക്കുന്നത് ആരായാലും മതി എന്നു പറയുന്നതു് ഒരിക്കലും ശരിയല്ല. ഗവണ്മെൻറു പരമാൎത്ഥത്തിൽ യോഗ്യന്മാരേതന്നെ അവിടെ നിയമിക്കേണ്ടതാണ്. അദ്ദേഹത്തിൻെറ അധികാരത്തെ മറെറാരുവിധമായി ഉപയോഗിക്കുന്നുഎങ്കിൽ അതുകൊണ്ടു കച്ചവടക്കാൎക്കുണ്ടാകുന്ന ഉപദ്രവം ചിന്തിച്ചിട്ടാണ് ആ ആളിൻെറ സ്റ്റാററസ് ഏതുരീതിയിൽ ആയിരിക്കണം എന്ന് ഈ ഉത്തരവാദിത്വബോധമുള്ള കൌൺസിലിൽ വച്ചുതന്നെ നിൎണ്ണയിക്കണം എന്നുള്ള ഉദ്ദേശത്തോടുകൂടി സിലക്ട കമ്മിററിയിലെ അംഗങ്ങൾ പ്രത്യേകമായി ഇന്ന സ്റ്റാററസിൽ കുറയാൻ പാടില്ലെന്നും ആളും തരവും ഗവണ്മെൻറു നിശ്ചയിച്ചുകൊള്ളട്ടെ എന്നും തീരുമാനിച്ചതു്.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ഗവണ്മെൻറിന് ആരെ എങ്കിലും നിയമിക്കണമെന്നാണൊ ഉദ്ദേശം?

MR. P. S. MAHOMED (*Nominated*) : അതാതുസ്ഥലത്തു് സൌകര്യം എന്നുതോന്നുന്ന ആളുകളെ നിയമിക്കാനിടയുണ്ടു്. ചിലസ്ഥലങ്ങളിൽ ഏററവും താണപടിയിൽ പോകാൻ സൌകര്യം വന്നേക്കാം എന്നുള്ളതുകൊണ്ടു് അങ്ങനെ പോകാൻപാടില്ല. ഏററവും ശക്തിയുള്ള ഒരായുധമാണു് അവരുടെ കൈയ്യിൽ കൊടുക്കുന്നതു്. അതുകൊണ്ടു് സാധുക്കളെ ഉപദ്രവിക്കാൻ സാധിക്കും എന്നു തോന്നിയതുകൊണ്ടാണു് സ്റ്റാററസിനെപ്പററി ഇങ്ങനെ പറഞ്ഞിരിക്കുന്നതു്.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): അധികാരം ശരിയായി ഉപയോഗിക്കാൻ ശക്തിയില്ലാത്ത ആളിന്റെപക്കൽ അതിനെ പ്രയോഗിക്കാൻ കൊടുക്കുമെന്നു് വിചാരിക്കുന്നുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*) : അല്ലെങ്കിൽ സ്റ്റാററസ് നിർണ്ണയിക്കുകയില്ലായിരുന്നു.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : അതുപോലെ സ്റ്റാററസുള്ളവർ എത്രപേർ ഉണ്ടാകും?

MR. P. S. MAHOMED (*Nominated*) : ധാരാളം ഉണ്ടാകാം. ആവശ്യംകഴിഞ്ഞു് കുറെ കൂടുതലും ഉണ്ടാകും.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ഒരു താലൂക്കിൽ തഹശീൽദാരുടെ സ്റ്റാററസിൽ ആരെല്ലാമുണ്ടെന്നു് അറിയാമോ?

MR. P. S. MAHOMED (*Nominated*) : അതു് ഗവമെന്റിന്റെയുക്തവും ആവശ്യവും അനുസരിച്ചു് ചെയ്തുകൊള്ളട്ടെ.

ഈ ഉദ്യോഗസ്ഥന്മാരുടെ ജോലി കടകളിൽപോയി ഭക്ഷണസാധനങ്ങളെ പരിശോധിക്കുകയാണു്. അതുകൊണ്ടു് സാധുക്കളെ ഉപദ്രവിക്കാൻ സാധിക്കും. ചീത്തസാധനങ്ങളെ നശിപ്പിക്കാൻ സാധിക്കും. അങ്ങിനെ ഉള്ള കട്ടംകൈകൾ പ്രവർത്തിക്കത്തക്ക ഈ ആയുധം കൊടുക്കേണ്ടതു് ഉത്തരവാദിത്വബോധമുള്ളവരിൽതന്നെയാണു്. അതിനാൽ അവരുടെ സ്റ്റാററസ് ഒരു തഹശീൽദാരുടെ സ്റ്റാററസിൽ കുറയാൻപാടില്ല എന്നുള്ളതു് അത്യാവശ്യമാണു്. അതിനാൽ അമൻറ്മെൻറിനെ പൃത്തുക്കുന്നു.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : As Mr. Kesava Pillai, the mover of the amendment, has explained, his amendment is to restore the provision in the Bill as it stood when it was introduced by me into the Council. The majority in the Select Committee, as stated in its Report, has made the change now found in the Bill as revised; and out of deference to the opinion of the

[Mr. Kayalam Paramesvaran Pillai.]

majority in the Committee I did not and do not seek to move any amendment to restore the provision in the original Bill. But now that an amendment has been placed before the House to restore the provision in the original Bill, I have perhaps formally to support the sense of the amendment. And, in doing so, I wish to say a word in reply to what my friend Mr. Mahomed said. He said that, under the provision as it was in the original Bill, it would be possible for the Food Inspector to create trouble and to molest people. I may say that the function of the Food Inspector is merely to help the court. He can seize food if he thinks it is bad, put it before court and frame a charge sheet also for presentation before the court if necessary. So, there need not be any apprehension that the Food Inspector can do serious harm to the people. No doubt, he may give some slight trouble, and it is therefore certainly better to have a responsible officer for that place. But, it cannot however be said that he would be the master of the situation if the provision in the original Bill is restored. The matter has to go to court very soon after the action of the Food Inspector.

MR. P. S. MAHOMED (*Nominated*): ചാർജ ഷീററു കോർട്ടിൽ ഹാജരാക്കുന്നതിനു സമാധാനം പറയാൻ കച്ചവടക്കാരൻകൂടി പോകണം. ആ കേസ് തീരുന്നതുവരെ ആ സാധനങ്ങളെ സൂക്ഷിക്കേണ്ടേ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അതെ.

MR. P. S. MAHOMED (*Nominated*): അങ്ങിനെ വരുമ്പോൾ കച്ചവടക്കാരനു വലിയ നഷ്ടമുണ്ടാവുകയില്ലേ? അങ്ങിനെ നഷ്ടമുണ്ടാക്കാൻ ഈ ഉദ്യോഗസ്ഥൻ കാരണമാകുന്നില്ലേ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അങ്ങിനെ ആക്കും സാധിക്കുമല്ലോ.

MR. P. S. MAHOMED (*Nominated*); അപ്പോൾ നല്ല സ്റ്റാററസുള്ള ഉദ്യോഗസ്ഥനാണെങ്കിൽ ഇങ്ങിനെ വരുമോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes. Of course to that extent the provision made by the majority of the Select Committee is all right. I want only to say that the House must realise the extent of the power that the Food Inspector has, under the provisions of the Bill. It does not go very far.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): ഫുഡ് ഇൻസ്പെക്ടർക്ക് ഈ ആഹാരസാധനങ്ങളെ നശിപ്പിക്കുന്നതിനു അധികാരം കൊടുത്തിട്ടില്ലേ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): നശിപ്പിക്കുകയല്ല ചെയ്യേണ്ടതു. അതിനെ കോടതിയിൽ ഹാജരാക്കണം.

Mr. REVATI NAL RAMA VARMA RAJA (*Edavagai*): മാവേലിക്കര ഇരിക്കുന്ന ഒരു കടയിലെ സാധനങ്ങളെ സംബന്ധിച്ചാണെങ്കിൽ അതിനു കായംകുളത്തുള്ള കോടതിയിൽ പോയി അനുവാദം വാങ്ങിക്കൊണ്ടു വരുന്നതു എങ്ങിനെ ആണു ?

Mr. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is one reason why I say Mr. Kesava Pillai's amendment has some merit.

PRESIDENT: What is your position, Mr. Paramesvaran Pillai? Do you support Mr. Kesava Pillai?

Mr. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am prepared to formally support Mr. Kesava Pillai.

PRESIDENT: Do you support Mr. Kesava Pillai, or the Report of the Select Committee? I thought you began by saying that you formally support the proposition, namely your own motion placing the Bill as revised by the Select Committee for consideration by the House.

Mr KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I meant to say I could support that amendment that is now before the House.

Mr. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): The Law Member is the mover of the Bill as revised by the Select Committe. Does he accept the amendment now before the House ?

Mr. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes.

Mr. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): He would himself place before the Council the Bill as revised by the Select Committee; and at the same time support an amendment to one of the clauses of the Bill as revised by the Select Committee. There must be some consistency.

Mr. KAYALAM PARAMESVARAN PILLAI (*Addional Head Sirkar Vakil*): There is no question of consistency or inconsistency because the revised Bill is placed by me before the House, it does not follow that I cannot accept an amendment to it. As I said, out of deference to the opinion of the majority of the Select Committee, I do not think of formally proposing an amendment to this provision as revised by the Select Committee. But, now that an amendment has been formally moved, by a member on the other side of the House, to restore the provision in the original Bill I have no desire to oppose it.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): May I know whether the Government have proposed any amendment to the Bill as revised by the Select Committee ?

Mr. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Out of deference to the opinion of the majority of the Select Committee, Government do not move any amendment to the Bill as revised by the Select Committee.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Then, I suppose it is in his official capacity, as the member in charge of the Bill, that Mr. Paramesvaran Pillai now supports Mr. Kesava Pillai's amendments?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I do not understand the question.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Apparently, Sir, Government have no idea of moving any amendment to the Bill as revised by the Select Committee.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): So far, Mr. Krishna Aiyangar is quite right.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Therefore, when my friend now supports the amendment, does he support it as the member in charge of the Bill? We want to know it, because it may affect the voting. The present popular impression here is that all the official friends behind Mr. Paramesvaran Pillai should raise their hands with him whenever he opposes or supports the motion. In the present instance, Government have not tabled any amendment. I want to know what is the position of the official members in regard to the voting on the amendment now before the House. What is to be the rule of guidance for our official friends in regard to their voting on this amendment?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): As I was explaining, Sir, the functions of the Food Inspector, even under the original Bill, do not take his powers very far.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*) : നാശമായി പോകുന്ന വസ്തുക്കളാണെങ്കിൽ തടഞ്ഞുവയ്ക്കുന്നതിനു അധികാരമുണ്ടോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): കുറച്ചുകാലത്തെ അധികാരം ഉണ്ടു്.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*) : നാലുമണിക്കൂർ നേരം വച്ചിരുന്നാൽ ചീത്തയായിപ്പോകുമെന്നുള്ള സാധനങ്ങളാണെങ്കിൽ തടഞ്ഞുവയ്ക്കാനുള്ള അധികാരമുണ്ടോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അതു ഉടനെ കോർട്ടിൽ കൊണ്ടുപോകണം.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): അതുകൊണ്ടു ഉത്തരവാദിത്വമുള്ള ആളുകൾതന്നെ ഫുഡ് ഇൻസ്പെക്ടർമാരായിരിക്കണമെന്നുള്ള ഉദ്ദേശത്തിന്മേലല്ലേ സിലക്റ്റ്കമ്മിറ്റി ഇങ്ങിനെ നിശ്ചയിച്ചതു്?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): As I said, the majority of the members of the Select Committee wanted to amend the provision in the original Bill; and out of

deference to their opinion, I accepted the amendment. But, now a member on the other side has formally proposed an amendment to reinstate the provision in the original Bill...

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Should not the Law Member adopt a consistent attitude?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is my difficulty too. Since the majority of the Select Committee has made the change I am also prepared to go with them. I was only saying that Government did not propose any amendment to the provision as revised by the Select Committee out of deference to the opinion expressed by the majority of the Select Committee, and that, now a non-official member has brought forward a motion to reinstate the provision in the original Bill.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Is the attitude of Government one of absolute neutrality in this matter?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If at all.........

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): No 'If at all', please; I want a definite answer.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): As for that the Government will stand by the provision as amended by the Select Committee.

MR. TAMARAPALLIL KOCHUTOMMAN (*Pattanamtitta*): തിരുവല്ലതാലൂക്കിൽ ൨൧ പകുതികൾ ഉണ്ട്. ഈ ൨൧ പകുതികളിലും തഹശീൽദാർക്കു സഞ്ചരിക്കാൻ സാധിക്കുമോ?

(*Mr. Kayalam Paramesvaran Pillai had, by then, resumed his seat.*)

The amendment of Mr. R. Kesava Pillai was then put to vote and declared lost.

PRESIDENT: So far as this Clause, Clause 2, is concerned, the Bill as revised by the Select Committee is carried.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): My former amendment has been lost; so, I do not move my next amendment to omit Explanation I.

The question that Clause 2 of the Bill as revised by the Select Committee do stand part of the Bill was then put to vote and carried.

The Clause was added to the Bill.

Clause 3.

PRESIDENT: Mr. Thanu Pillai has given notice of two amendments to Clause 3, one to omit sub-clause (1) and the other to omit the words 'and every person to whom the powers have been delegated under this Section' in sub-clause (2). He is not in his seat now. So, it has to be taken that he does not move his amendments.

[President.]

The question is that Clause 3 of the Bill as revised by the Select Committee do stand part of the Bill.

The motion was carried and the Clause was added to the Bill.

Clause 4.

PRESIDENT : As no notice of amendments to Clause 4 of the Bill as revised by the Select Committee has been given, the question is that Clause 4 of the Bill as revised by the Select Committee do stand part of the Bill.

The motion was carried and the Clause was added to the Bill.

Clause 5.

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): I beg to move to add the following proviso to Clause 5 :

"(1) Provided that the vendor shall not be deemed to have committed an offence under this Section, if he proves that the food was purchased by him as the same in nature, substance and quality as that demanded by the purchaser and with a written warranty to the effect that it was of such nature, substance and quality that he had no reason to believe at the time when he sold the same that the food was not of such nature, substance or quality and that he sold it in the same state as that in which he purchased it."

Clause 5 as revised by the Select Committee provides for the conviction of all offences relating to Food Adulteration. If the provision, as it has now been presented before this House, is accepted, then, an offender, whether he has got the necessary *mens rea* or not, would be liable to punishment for the offence. It may happen in some cases that the seller of a food did not sell it with the knowledge that it was bad. He might not have had the guilty intention to sell bad food. My point is that, since the seller has not got the guilty intention to sell bad food knowing it to be bad, he should not be prosecuted and convicted and punished for an offence for which he had no *mens rea*. I shall take an illustration to explain my position. A certain seller might have purchased food under the impression that it was good for consumption and that it could be sold to the public. In such a case he could not be blamed for selling that food, because he did not know that it was bad. He had not the guilty intention to sell bad food. It is for the intention of the man that he is made liable. If a person has not got criminal intention, I do not see any reason why he should be punished. If Clause 5, as it has been revised by the Select Committee, is accepted, then every person, whether he has got the guilty intention or not, would be liable to punishment. It is to exempt acts for which the accused is not responsible that I seek to introduce this proviso. If this proviso is introduced, then persons who have not got the guilty intention to sell bad food *knowing it to be bad* would be saved from punishment. That is the object of my amendment.

MR. A. G. MENON (*Parur*): I beg to second the motion. I may say that the proviso is not our own. It has been taken over bodily, from the Madras Act. The proviso deals only with cases where the dealer has not the slightest suspicion that the article of food in

question was not what it was advertised to be. In such cases, it is but fair that the dealer is freed from the penalty imposed by this Regulation. In fact, without such a proviso as is now suggested by this amendment, this Regulation, instead of being beneficial to the people would be a rather repressive piece of legislation. As a consequence it may perhaps share the fate of other such Statutes which are only found in the Statute Book and are not actually taken notice of by the authorities. I do not think there is any necessity to dilate upon this, because the provisions themselves clearly explain the circumstances under which exemption from punishment is to be allowed.

PRESIDENT: Are you against the amendment?

MR. A. G. MENON (*Parur*): No, I am seconding it.

MR. P. S. MAHOMED (*Nominated*): മി. കേശവപിള്ളയുടെ ഭേദഗതിയിലെ ആദ്യത്തെ പ്രൊവിസോയെ ഞാൻ അനുകൂലിക്കുന്നു.

PRESIDENT: ഈ അമൻഡ്മെൻറ് തീൎന്നതിൽപിന്നീട് നിങ്ങളുടെ അമൻഡ്മെൻറ എടുത്തുകൊള്ളാം.

MR. P. S. MAHOMED (*Nominated*). ഞാൻ അനുകൂലിക്കുന്നത് ഭേദഗതിയുടെ ആദ്യത്തെ ഭാഗമാണ്.

തിരുവിതാംകൂറിലെ ഭക്ഷണസാധനങ്ങളിൽ വിലപിടിച്ച പല സാധനങ്ങളും വരുത്തുന്നത് തിരുവിതാംകൂറിനു വെളിയിൽനിന്നാണ്. ഇതു് വലിയ കമ്പനികളിൽനിന്നും കൊടുക്കുന്ന ഗാറൻറി അനുസരിച്ച നല്ലസാധനങ്ങളാണെന്നുള്ള ബോധത്തോടുകൂടി അതിനെ വിശ്വസിച്ചു വാങ്ങുകയാണ് ചെയ്യുന്നതു്. അങ്ങനെ അയയ്ക്കുന്ന സാധനങ്ങളെ അവിടെവച്ചു് കെമിക്കൽഎക്സാമിനറെക്കൊണ്ടു പരിശോധിപ്പിച്ചു വരുത്തുന്ന കാൎയ്യം സാദ്ധ്യമല്ല. അങ്ങനെ വരുത്തുന്ന സാധനങ്ങൾ നിർഭാഗ്യവശാൽ ചീത്തയാണെന്ന് ഫുഡ്ഇൻസ്പെക്ടർ കണ്ടുപിടിയ്ക്കുന്നാണെങ്കിൽ അതിനു കുററക്കാരൻ വരുത്തിയ ആളാണ്. അതുകൊണ്ടു് ആയാളെ ശിക്ഷിയ്ക്കണം എന്നു പറയുന്നതു് കഷ്ടമാണ്. യാതൊരു വിധത്തിലും കുററം ചെയ്യണമെന്നു ഉദ്ദേശിക്കാത്ത ഒരുവനെ ശിക്ഷിയ്ക്കണം എന്നൊരുനിയമം ഒരിടത്തും ഉള്ളതായി അറിഞ്ഞിട്ടില്ല. അതിനാൽ എത്ര നിർദ്ദോഷിയാണെങ്കിലും ഈ വകുപ്പുപ്രകാരം ശിക്ഷിക്കണം എന്നു പറയുന്നതു് ശരിയല്ല. ഗാറൻറി അനുസരിച്ച് വരുത്തിക്കുന്ന സാധനങ്ങൾ ചീത്തയാണെന്ന് കാണുന്നു എങ്കിൽ അതിന് ഞങ്ങൾ ഉത്തരവാദിയല്ലാ എന്ന് കോടതിക്ക് ബോദ്ധ്യപ്പെടുന്നു എങ്കിൽ—

MR. MATTHEW MURIKKAN (*Vaikam*): ഈ അമൻഡ്മെൻറു കൊണ്ടു് അങ്ങനെ എല്ലാവരേയും ശിക്ഷിക്കാതിരിക്കുമോ

MR. P. S. MAHOMED (*Nominated*): എല്ലാവരേയും ശിക്ഷിക്കാൻസാധിക്കും.

എന്നാൽ ഗാറൻറിലററോട്ടുകൂടിവരുന്ന സാധനങ്ങളെ നല്ലതാണെന്നുള്ള പൂർണ്ണവിശ്വാസത്തോടുകൂടിയാണ് അവയെവാങ്ങിക്കുന്നതും വില്ക്കുന്നതും. ആയതുകൊണ്ട് അങ്ങനെയുള്ള ഒരാളിനെ ചീത്തസാധനം വിററു എന്ന കാരണത്തിൻപേരിൽ ശിക്ഷിക്കാൻ പാടുള്ളതല്ല. അതിനാൽ ഈ അമൻഡുമെൻറിനെ ഞാൻ അനുകൂലിക്കുന്നു.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I beg to support the amendment. While the legislature should arm the authorities with the necessary powers for seizing and destroying food unfit for human consumption, there is no virtue in condemning persons who, from the facts disclosed, are really innocent and had not any dishonest intent to perpetrate fraud on the people in the neighbourhood. I believe Sir, the class of food-stuffs contemplated in this proviso mainly relate to tinned food imported from outside and not the sort of food stuffs ordinarily supplied in our hotels all over the country. Certainly, the question of warranty, or guarantee in writing, does not come in at all. Any importer in Trivandrum or Alleppey orders, from the foreign manufacturer, food of a particular quality considered to be perfectly safe for human consumption, and gets it. Ultimately, when the Food Inspector examines it he finds it unfit for human consumption, seizes it and destroys it. There is no doubt about that; and the man who imports it does not get any pecuniary compensation for the food he has lost. But, why should he be punished when he has been doing his business in good faith? Are we to deprive the public of imported food-stuffs when several of them really want them? Under the conditions and risks imposed by the provision in this Bill as it now stands, who will import food-stuffs from outside? We have to trust the general sense of the people. If a particular merchant imports rotten stuff, naturally, he loses all his customers. Why should he be punished criminally also? After all, the proviso now sought to be introduced by the amendment seeks to exempt from punishment only in extreme cases where the dealer has a warranty that the food conforms to the description of it given in the order or the advertisement and is of a particular quality absolutely safe for human consumption. In such cases, why should he be dragged before a Magistrate and convicted and punished. This part of the provision in the Bill seems to me, Sir, to be evidence of overanxiety to see that unwholesome food-stuffs are not sold. I certainly appreciate it. But, more than that, I am not for the liberty of any individual being curtailed for securing other ends if the normal requirements of our criminal law are perfectly satisfied and if there has been absolute good faith on the part of the individual concerned. And, the question of good faith is a question of fact which the trying Magistrate may go into. Whether the individual has exercised due care and caution is a fact to be investigated by the trying Magistrate; and, if it

is found that all that was humanly possible had been done and that it was a hoax played by some foreign exporter, and if the local dealer, the accused, had suffered pecuniary loss on account of the seizure of the imported stuff by the Food Inspector, I would consider that sufficient punishment, instead of adding on to all these conviction by a Court of Law. I therefore support the amendment.

PRESIDENT: It is now 2 o'clock. Let us now adjourn and re-assemble at 2-45.

The Council adjourned at 2 P. M. and re-assembled at 2-45 P. M.

PRESIDENT: I have already promised to give my ruling as to whether the motion made by Mr. Muruveli Pachu Pillai asking for leave to adjourn the business of the House to discuss a matter of urgent public importance, *viz.*, the attitude and behaviour of the Police in relation to the incidents that took place in public meetings at Shertallai and Kanjikulangara on the 19th Kanni 1106, is in order or not. I would hold it to be admissible, and I wish to know whether any member has objection to the motion being discussed.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): It is not opposed at all.

PRESIDENT: As members have no objection, the discussion may be had to-morrow at 3-30 P. M.

Mr. Kesava Pillai, you have also handed a statement seeking permission for the adjournment of the business of the House. It relates to the same subject and it is more or less akin to it though not expressed in the same terms. Do you press it, Mr. Kesava Pillai?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): As the first motion is allowed I do not press it, Sir.

PRESIDENT: We are at amendment No. 1 to Clause 5, by Mr. Kesava Pillai.

MR. ITTOOP ITTEECHAN (*Kunnatnad*): മിസ്റ്റർ കേശവപിള്ളയുടെ അമൻഡ്മെൻറിനെ ഞാൻ ഹൃദയപൂർവ്വം അനുകൂലിക്കുന്നു. ഈ ഫുഡ് അഡൽറ്ററേഷൻ ബില്ലിൻെറ ആദ്യത്തെ വായനയിൽ തന്നെ അതിനെ മുഴുവനും ഹൃദയപൂർവ്വം ഞാൻ എതൃക്കുകയാണ് ചെയ്തിട്ടുള്ളത്. ഇപ്പോൾ ഇങ്ങിനെ ഒരു ബിൽ കൊണ്ടുവന്നു തിരുവിതാംകൂറിൽ ഇപ്രകാരം ഒരു നിയമം പാസാക്കണൊ എന്നുള്ള സംഗതി ഗവൺമെൻറ് ഗാഢമായി ആലോചിക്കേണ്ടതാണ്. ഈ നാട്ടിലെ ഭക്ഷണ സാധനങ്ങളിൽ കൂട്ടിക്കലർപ്പു ഉണ്ടായി, അതു് നിമിത്തം ജനങ്ങൾ ക്ഷേമകരമല്ലാത്ത വിധത്തിൽ വർത്തിച്ചു വരുന്നു എന്നുള്ള ഒരു അഭിപ്രായം ഗവൺമെൻറിന് ഉണ്ടായിട്ടുണ്ട് എന്ന് ഞാൻ വിചാരിക്കുന്നില്ല. പക്ഷെ വല്ല സാധുക്കളും പാലിലൊ മോരിലൊ വെള്ളം ചേർക്കുക മുതലായ നിസ്സാര സംഗതികൾ ചെയ്യുന്നില്ലാ എന്നു ഞാൻ പറയാൻ തയാറില്ല.

[Mr, Ittoop Itteechan.]

ഇങ്ങിനെ നിസ്സാരമായ സംഗതികളിലുള്ള കുററത്തെ മാത്രം ഉദ്ദേശിച്ച് ഗവണ്മെൻറ് ഇത്രവലിയ ശക്തിമത്തായ ഒരു ബിൽ അവതരിപ്പിക്കുന്നു എങ്കിൽ അത് പട്ടണങ്ങളിലും നാട്ടിൻപുറങ്ങളിലും ചില്ലറ ലഹളകൾ ഉണ്ടാകുന്നതുകൊണ്ട് അവയെ ഇല്ലാതാക്കാൻ അവിടെ വലിയ പട്ടാളനിയമം പാസാക്കുന്നതുപോലെയാണ്. പിന്നീട് ഈ ഭക്ഷണസാധനങ്ങളിൽ കൂട്ടിക്കലർപ്പ് വരുത്തിയിട്ടുണ്ടോ എന്നുള്ള സംഗതി സാധാരണന്മാരായ ആളുകൾക്ക് കണ്ടുപിടിക്കാൻ തന്നെ സാധ്യമാകുമൊ എന്ന് തോന്നുന്നില്ല. ഉദാഹരണമായി ഈ നാട്ടിൽ റംഗൂൺ മുതലായ സ്ഥലങ്ങളിൽ നിന്നും കപ്പൽവഴി അരി ഇവിടെ വരുന്നു. ഈ അരി വാങ്ങി ക്ലബ്ബുകാർ ധാരാളമായി ഉപയോഗിക്കുന്നു. ഈ അരിവച്ചാൽ ചോറിന് ദുർഗന്ധവും ദുസ്സ്വാദും ഉണ്ടെന്നുള്ളത് അതിനെ അനുഭവിച്ചിട്ടുള്ളവർക്ക് ധാരാളം അറിയാം. ഞാൻ അത് അനുഭവിച്ചിട്ടുള്ളതുകൊണ്ട് എനിക്കും അറിയാം. ഇങ്ങിനെ വാങ്ങിക്കൊണ്ടുവന്ന് വയ്ക്കുന്ന അരിക്ക് ദുർഗന്ധമുണ്ടാക്കുന്നത് ക്ലബ്ബുകാരാണ് എന്ന് വിചാരിക്കാൻ പാടില്ല. അങ്ങനെയുള്ള ഭക്ഷണസാധനങ്ങൾ മുഴുവനും ചീത്തയായതിനാൽ ഉപയോഗശൂന്യമാക്കിക്കളയുകയും ഈ നിയമം കൊണ്ട് അയാൾ കുററക്കാരനായും തീരുന്നു. അതുപോലെ ആലപ്പുഴ മുതലായ സ്ഥലങ്ങളിൽ വർഷകാലത്തു വെളിച്ചെണ്ണ വാങ്ങിക്കൊണ്ടുവന്നാൽ അഞ്ചാറു ദിവസം കഴിയുമ്പോൾ അതിന് ഒരു കയ്പും മററു പലതരത്തിലുള്ള ദുസ്സ്വാദുകളും ഉണ്ടാകുന്നുണ്ട്. ഈ ദുസ്സ്വാദിനു ഓരോ സ്ഥലങ്ങളിൽ ഓരോ പേരു പറഞ്ഞുവരുന്നു എങ്കിലും ഞങ്ങളുടെ നാട്ടിൽ അതിന് കാറൽ എന്നു പേരുപറയുന്നു. ഇങ്ങനെയുള്ള സാധനങ്ങളെ ഫുഡ് ഇൻസ്പെക്ടർക്ക് ഉപയോഗശൂന്യമാക്കിത്തീർക്കാൻ സാധിക്കുന്നതും ആ ആളിനെ കുററക്കാരനാക്കി ശിക്ഷിക്കുന്നതിനും സാധിക്കുന്നതാണ്. അതുപോലെ പഴം മുതലായ സാധനങ്ങൾക്ക് അഞ്ചാറുദിവസം കഴിഞ്ഞാൽ ഒരു ദുസ്സ്വാദും വർണ്ണവ്യത്യാസവും വരുന്നതാണ്. ഇങ്ങനെയുള്ള വർണ്ണവ്യത്യാസത്തിനു ആ ആളെ കുററക്കാരനാക്കാൻ ഫുഡ് ഇൻസ്പെക്ടർ ഉദ്ദേശിക്കുന്നു എങ്കിൽ സാധിക്കും. അതിനാൽ ഒന്നാമതായി ഗവണ്മെൻറു ഇതിനെപ്പററി ഗാഢമായി ആലോചിച്ചശേഷം ഇങ്ങനെ ഒരു നിയമം കൊണ്ടുവരേണ്ടതാണ്. ഈവക ഭക്ഷണസാധനങ്ങൾ ഉപയോഗശൂന്യമാണെന്നു ശരിയായി കണ്ടുപിടിക്കത്തക്ക ഉദ്യോഗസ്ഥന്മാരെ നിയമിച്ചശേഷമേ ഈ നിയമം പാസാക്കാൻ പാ

ട്ടുള്ളൂ. അങ്ങനെ ഗവണ്മെൻറു വിചാരിയ്ക്കുന്നില്ലെങ്കിൽ മേല്പറഞ്ഞ ആളുകളെപോലെ ഉള്ളവരെ കുററക്കാരാക്കുകയോ ശിക്ഷാർഹന്മാരാക്കുകയോ ചെയ്യത്തക്ക ഒരു നിയമം കൊണ്ടുവരാൻ പാടില്ലെന്നാണ് എൻെറ അഭിപ്രായം.

MR. P. S. MAHOMED (*Nominated*): അങ്ങിനെയുള്ള ഉദ്യോഗസ്ഥന്മാർ ഉണ്ടായിട്ടുണ്ട് എന്നറിയാമോ?

MR. ITTOOP ITTEECHAN (*Kunnatnad*): ഉദ്യോഗസ്ഥന്മാർ പരിചയം ഇല്ലാത്തവരും അറിവില്ലാത്തവരും ആയതിനാൽ ആണ് ഈ നിയമം ദോഷകരമാണെന്നു ഞാൻ പറഞ്ഞതു്. അതുകൊണ്ട് ഈ സംഗതി നല്ലവണ്ണം ചിന്തിച്ചശേഷം പാസാക്കേണ്ടതാണ്. മിസ്റ്റർ ശവപിള്ളയുടെ അമൻഡ്മെൻറിനെ ഞാൻ അനുകൂലിക്കുന്നു.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I oppose the amendment. I appreciate the principle on which Mr. Kesava Pillai has based his amendment, *viz.*, that a man should be punished by a Criminal Court only if he intends to commit an offence. But this rule salutary as it may seem, has very many exceptions and in the interests of the public, that rule may be varied from for even though a man may not have any intention, he has to be punished if it is in the public interest. Those who sell for instance butter, milk, etc., in public ought to be very careful because they may affect the health and life of others and no explanation can be heard from a man who takes such responsibility to exculpate himself. He ought not to be heard to say "I am not responsible" and that the responsibility is with somebody else. No doubt, I can understand that if a man did not intend to commit an offence he should not be punished ordinarily. At the same time, I would request this House to consider that in this case the seller is really dealing with the health of the citizens and further if this proviso is accepted it will even defeat one purpose of this Bill. One provision introduced in the Bill is to the effect that certain articles of food particularly tea, butter, milk, ghee etc., should be of a certain standard of purity if they are to be sold to the public. Otherwise they should not be sold at all. In the interest of the public the Government take upon themselves the responsibility and say that an article for human consumption shall be maintained at a certain standard of purity. So long as such a provision is here, it seems to me that that provision will be defeated if this amendment is passed because this amendment reads as follows:—

> "Provided that the Vendor shall not be deemed to have committed an offence under this Section, if he proves that the food was purchased by him as the same in nature, substance and quality as that demanded by the purchaser and with a written warranty to the effect that it was of such nature, substance and quality that he had no reason to believe at the time when he sold the same that the food was not of such nature, substance or quality and that he sold it in the same state as that in which he purchased it."

[Mr. Kayalam Paramesvaran Pillai.]

I say, therefore that the provisions of this Bill will be very easily defeated by the passing of this Clause because the seller can easily say that he has got a written guarantee to the effect that the article is of the same nature, substance and quality as that demanded by the purchaser.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): If the seller knows that the article is bad he is liable to punishment even according to this proviso.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No. The amendment says otherwise. All that the seller need prove is that the article sold is similar in quality to that *demanded.*

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What is the other thing that he should prove?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The standard purity.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I think quality will cover purity also.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It may cover. But as this proviso stands, the seller can with impunity vend the goods saying that it is of the nature. substance and quality as that demanded by the purchaser and he need not maintain the standard purity. I cannot purchase an article of 'A' quality and sell it as 'B' quality. That is all that the amendment insists.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Does not quality include purity?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That may or may not. Under this proviso the article need only be of such quality as it is represented to be.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): As the one that the purchaser wanted?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): He may or may not want any specific quality. Government fixed the standard of purity. Government, in the interest of the public, say that an article should not be below a certain standard of purity.

MR. A. G. MENON (*Parur*): How is it possible to measure the standard of purity?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If it is not possible it is a different matter. But the Bill has laid down that a certain standard of purity may be prescribed and if this proviso is to be accepted how is the aforesaid provision to be enforced so long as the proviso is there. The seller can say that he holds the goods with a warranty as to the nature, substance and quality it purports to be.

MR. A. THANU PILLAI (*Trivandrum*) : Am I to understand the member to say that this proviso will defeat the purpose of sub-clause 1 (*d*) of Clause 4 ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*). Yes.

MR. A. G. MENON (*Parur*) : Is there any similar provision in the Madras Act ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : There is a provision of similar import in the Madras Act and the other legislatures have passed more or less similar provisions. Some of the provisions in our Bill are not like the Madras Act.

MR. A. G. MENON (*Parur*) : Do they also insist upon the standard of purity ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Yes, in Madras also. I considered it and found the proviso to be unworkable. The Bengal Legislature omitted this proviso. There are other legislatures also which have omitted this provision.

MR. A. G. MENON (*Parur*) : I have had some days' experience at Calcutta and I know that the quality of the articles that are being sold there is not at all good.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I am not responsible for the food supplied to my friend at Calcutta. He may have his own views about them and in any event I am not responsible for the food in Calcutta. I only speak about the Act which the Bengal Legislature has passed which does not contain such a provision. It seems to me that if this proviso is passed it will defeat the provisions of sub-clause (*d*) in Clause 4. So I oppose the amendment.

MR. A. G. MENON (*Parur*) : We are nearer Madras than Calcutta and therefore we had better adopt the Madras Act.

PRESIDENT: Although it is not usual to call upon another member after the mover has spoken, I think it proper to have our expert member's opinion also in the matter. Dr. Raman Tampi, as our Medical Expert, will be able to express his views as to how this will work.

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) I think the proviso suggested by Mr. Kesava Pillai is not necessary. When we discussed the Bill in the Select Committee we then said that the article should be of the standard of purity prescribed by the Government. We know quite well that there is a good deal of food adulteration in Travancore and it is to prevent the evil effects of the food adulteration that this Bill is introduced. We have legally fixed certain standard and we have specially guarded against food adulteration by appointing duly qualified analysts and also Food Inspectors. We know quite well that several diseases are communicated through food and it is high time that we have a legislation to prevent such adulteration. We make sufficient provisions to ensure the purity of food. I do not think the amendment

[Dr. K. Raman Tampi.]

proposed is necessary at all because we want to see that certain qualities are maintained and for that it is necessary that a standard must be fixed at all costs. Even though a man may purchase an article with the belief that it was good and if in the opinion of the Food Inspector the article is found to be bad it will be destroyed.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Is that not sufficient punishment ?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : Yes.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : I am just asking Dr. Raman Tampi whether the destryoing of the article would not be an adequate punishment and whether a conviction before a Magistrate in addition to this punishment is necessary?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : That can be left to the Magistrates themselves.

As regards the general health of the public we want only to see that the article is destroyed, and whether any additional punishment is necessary, can be left to the Magistrates.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : There does not seem to be any difference of opinion as to the necessity of destroying the article. We are at the question whether in addition to that he ought to be held up before a Magistrate's Court ?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : Once he is held up, that will act as a deterrent and he will be more careful in purchasing the article in future. No body wants another to be unnecessarily punished. We only want food-stuffs of good quality to be sold.

MR. A. THANU PILLAI (*Trivandrum*) : Is it not likely that the objectionable food-stuff may after all be only a very small quantity ?

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : It may be a small quantity not very valuable and at the same time highly injurious. It is not the quantity that matters. So, I am of opinion that the amendment brought forward by Mr. Kesava Pillai is not necessary.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Sir, I rise to support the amendment before the House. I must candidly admit that it was with mixed feelings that I watched the progress of this Bill through the Council. But nobody would reasonably object—

PRESIDENT : But the mover has had his say.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : But the amendment is before the House. My only hope is that even if this Bill is passed it will remain only as an ornament to our Statute Book and that it will not very easily be put into practice because even according to this Bill it says that the Government can extend its operation to any municipality or other place as they deem fit.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : May I ask whether it is his hope or fear that he is referring to

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): As far as bringing into effect of this Regulation is concerned, I hope that it will not be put into effect in the near future until we are sure that the officers who are entrusted with their duties will be able to discharge them to the best advantage of the people and the country. Here we find that a person is to be prosecuted for selling an article which he belives to be of sufficient quality and composed of certain good substances.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does he say it is of sufficient quality or only of a quality equal to that demanded by the purchaser ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I mean the quality prescribed by the rules or which the purchaser intends it to possess or quality which the seller represented it to possess. That is what I mean by sufficient quality.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does the proviso provide for that ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) There is provision. The proviso relates only to the representation made by the seller to the purchaser as to the nature, substance and quality of the goods sold. Quality includes purity. I do not know how any such fine distinction can be drawn between the two.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Suppose it is prescribed that tea of X quality alone can be sold and that tea of Y quality is sold with the guarantee that it is tea of Y quality. Can he be punished?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I do not know how the object of sub-clause (*d*) will be defeated by this proviso. All that this proviso exempts is that the person, the vendor who sells it in the *bona fide* belief that the article sold is of a particular nature and composed of certain substance and possesses certain quality, should not be punished because he did it in ignorance. You cannot expect these shopkeepers to be experts in analysing all this food-stuff. The definition of food is very comprehensive. So, you cannot punish a person for selling food of the quality demanded by the purchaser. I admit that there is very great difficulty in proving the intention of a particular person. Even the law of our land says that 9 guilty persons may be let off than one innocent person being punished. Here the question is whether the seller has any intention, and if it is remembered that there is no such intention on the part of the seller, is it proper to punish him ?

Under this proviso, the burden of proof is cast on the seller who has to prove that he had no intention, while in other cases, the intention is to be proved by the prosecutor.

[Mr. A. S. Damodaran Asan.]

My point is that when we are giving very wide powers to the Food Inspector and when there is no sufficient check on the exercise of those powers, it is always safer to lay down that a person shall not be punished if he acts *bona fide*. His articles are destroyed. That itself is sufficient punishment; and is in itself sufficiently deterrent. Any person who wishes to make a profit out of such sales will never risk the chance of his things being taken possession of by the Food Inspector and destroyed.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): But these are exceptional cases.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): But is it not sufficient punishment for the person who *bona fide* sells certain goods in the belief that they are unadulterated? He loses his articles. In addition to that, why should he be dealt with by a Magistrate and punished? I do not think it is very safe to leave it to the discretion of the Magistrate.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Before the member resumes his seat, I wish to ask him a question. Does he think that the purpose of sub clause (*d*) will be satisfied if this proviso is accepted by the Council?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Is is a question for interpretation by courts, and I can therefore give my *opinion* only. I think that the purpose of the sub clause (*d*) will not be defeated. But *even if it is defeated*, I do not think it matters much, because the person concerned loses his articles and the property is destroyed.

MR. V. CHELLAM PILLAI (*Tovala*): ൫൦ പാൽപ്പെട്ടി വരുന്നു. അതിൽ ൪൫ എണ്ണം വിററു, ആ നാല്പത്തിഅഞ്ചു വാങ്ങിച്ചവൎക്കു സുഖക്കേടുഉണ്ടാകുന്നു. പിന്നീടു ഫുഡ് ഇൻസ്പെക്ററർ കണ്ടുപിടിച്ചു ബാക്കിയുള്ള ൫ ടിൻ നശിപ്പിച്ചാൽ മതിയോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): അൻപതുവാങ്ങിച്ചതിൽ ൪൫ വിററുപോയില്ലേ. അതിനുശേഷമാണല്ലോ അതു ഉപയോഗിക്കാൻ കൊള്ളാത്തതാണെന്നു മനസ്സിലായതു്.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): May I draw the attention of Mr. Damodaran Asan to Clause 4 where the various kinds of offences are enumerated? One of them is the case of the person who sells food which is not of the nature, substance or quality of the article demanded by the purchaser. The proviso which is now being discussed will apply to sub-clause (*a*).

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): But not to sub-clause (*d*).

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Sub-clause (*d*) deals with the representation made to the purchaser by the seller.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): I agree with what the previous speaker said. I am at a loss to understand why the Law Member is afraid that the purpose of sub-clause (*d*) will be defeated by the insertion of this proviso. I will cite an example. Suppose I buy cakes from Messrs. Harrisons. The cake has been examined by the Food Examiner at Madras and found to be alright. With this guarantee of the Food Inspector of Madras, I purchase half a dozen cakes of Messrs. Harrisons and put them up for sale in my shop. Now the local Food Inspector finds that the cakes are not of the standard prescribed by our Government, and destroys them. Why should I be penalised, I ask, even though I have got the guarantee of the Food Inspector of Madras? After all, I do not think that this guarantee will in any way defeat the purpose of sub-clause (*d*).

To cite another instance, suppose, a motor driver gets a license for driving from a proper authority and I employ him. Suppose again, that the driver knocks against a wall and runs over a person. Why should I be penalised for that?

MR. L. A. BISHOP (*Commissioner of Police*): May I ask the member if a wall is edible? (*Laughter*).

PRESIDENT: We are straying far from the field, Mr. Piraviperumal Pillai. Let us confine ourselves to food adulteration and not deal with motor cars and drivers who have knocked buses against walls and run over persons.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Suppose again, Sir, I bought half a dozen bottles of soda from Harrisons and Co., with a warranty that they are alright. If it is afterwards found that they are not up to the quality prescribed by the Government, I cannot understand why I should be penalised for that.

I think that this amendment is innocuous and may be accepted.

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*): Mr. Piraviperumal Pillai has quoted some instances. But I ask, is there not a chance of other shopkeepers buying bad things knowing that they are bad, because they are cheap? How can they be prevented from such a course, unless they are punished?

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): On that point, Sir, I believe the amendment is clear, I will read out the amendment. It says:

> "Provided that the vendor shall not be deemed to have committed an offence under this Section if he proves that the food was purchased by him as the same in nature, substance and quality as that demanded by the purchaser and with a written warranty to the effect that it was of such a nature, substance and quality that he had no reason to believe at the time when he sold the same that the food was not of such nature, substance or quality and that he sold it in the same state as that in which he purchased it."

Of course, I am referring to an article which was bought from another shop with the warranty that it is good.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does the warranty say that the *article is good?* The warranty only says that the article is *of the nature, quality and substance as that demanded by the purchaser.*

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): The one strong argument advanced by the Law Member against this proviso, that under this proviso, a seller to escape punishment has only to prove that the goods he sold were of the same nature, substance and quality as that demanded by the purchaser and that he need not prove his *bona fides.* But it will be clear from the latter part of the proviso that the seller too must prove his *bona fides.* It says: "that he had not reason to believe at the time when he sold the same that the food was not of such nature, substance or quality and that he sold it in the same state as that in which he purchased it." The seller must therefore prove that he entertained the best of intentions at the time he sold the article, that it was of same nature, substance and quality as that demanded by the purchaser.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): But not of the *standard of purity?*

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): The proviso does not refer to standard of purity. The seller is liable to prove his *bona fides.* If he does not prove his *bona fides* he is liable to punishment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): *Bona fides* as to what?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): As to the nature of the food demanded by the purchaser.

MR. A. THANU PILLAI (*Trivandrum*): Is it an offence to purchase bad things?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It is not.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is it not clear that Clause 5 itself refers only to the nature of the substance and not to the standard of purity? The proviso is only to the Clause.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If I rise now to address the House, it is only to clear up the misapprehensions of some of the members, caused apparently by the Clause, I was not properly understood at the time when I first spoke on the subject.

Clause 4 lays down the offences for which persons are punished. Sub-clause (*a*) deals with the case of a person who sells food which is not of the nature, substance or quality of the article demanded by the purchaser. Sub-clause (*b*) relates to a person who manufactures, stores, offers or exposes for sale or hawks about or sells any food which is not of the nature, substance or quality which it purports or is represented to be, and sub-clause (*c*) refers to a person who

abstracts from any food any part of it so as to affect injuriously the nature, substance or quality thereof with intent that it should be sold in its altered state without notice of the alteration, or sells any article so altered without making disclosure of the alteration.

Sub-clauses (*a*) and (*b*) refers to the misrepresentation as to the quality of the food; sub-clause (*c*) too, to some extent, refers to misrepresentation, because if the food is altered so as to affect injuriously the person consuming it, he has to give notice of such alteration. But sub-clause (*d*) does not relate to misrepresentation at all. Sub-clause (*d*) is as follows:

> "(*d*) Manufactures, stores, offers or exposes for sale or hawks about or sells milk, cream, butter, curds, buttermilk, ghee, tea or any other food which is not up to the standard of purity, if any, prescribed by our Government or any articles in respect of which such standard of purity has been so prescribed, under a name which in any way resembles the name of such article......"

So that under this sub-clause Government can lay down that tea, buttermilk, etc., shall be of say 'x' quality, that it shall not be sold below that quality and that if a person sells these articles with a quality below that prescribed by Government, he can be punished *without reference to his intention or bona fides.*

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): May I ask the member whether the idea is to prescribe standards of purity for cases dealt with in sub-clause (*a*)?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No, that sub-clause refers only to the selling of food which is not of the nature, substance and quality of the article demanded by the purchaser and does not speak about the standard of purity prescribed by Government.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Then the proviso now under discussion must come in as a proviso to that sub-clause. It naturally fits in with sub-clause (*a*).

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If it were really so, I can well understand the logic of it. But the proviso is to the whole Clause and not to sub-clause (*a*) alone.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Clause 5 says that it shall be no defence to allege merely that the accused person was ignorant of the nature, substance or quality of the food sold, manufactured, stored, offered or exposed for sale or hawked about by him or that the purchaser has bought the food only for analysis.

That is what the Clause says and the proviso now moved could not go beyond the terms of the Clause.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Clause 4 gives the Government power to prescribe standards of purity and if a person sells articles below that standard he can be punished. According to the proviso, if the person selling the articles had no reason to believe that it was not of such a nature, substance or

[Mr. Kayalam Paramesvaran Pillai.]

quality and he sold it in the state as that in which he purchased it, he would escape punishment. Thus if he did not believe that the article was not of the same substance nature or quality, he will be exempted from punishment. According to Clause 5 if Government prescribe that an article shall be of 'X' quality and if a person sells the same article of 'Y' quality, he shall be punished, and it is no defence for the seller to say that he never knew of the quality.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I ask the member whether Clause 5 applies to the standard of purity?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What are the words used in the Clause?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Clause 5 reads as follows:

> "In any prosecution for an offence under the last preceding section it shall be no defence to allege merely that the accused person was ignorant of the nature, substance or quality of the food sold, manufactured, stored, offered or exposed for sale or hawked about by him or that the purchaser has bought the food only for analysis."

If this proviso is accepted, then Government could not enforce the rule laid down in sub-clause (*d*) of clause 4. According to this sub-clause, Government have the power to prescribe a standard of purity and if this proviso is accepted, then Government could not enforce the rule. Irrespective of the belief that a person had as to the purity of the article, that person can be punished under sub-clause (*d*). Under the proviso, if the seller sells the article as of the quality in which he purchased it, then he is exempted.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Then the Inspector can destroy the article.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is a different matter. But the seller cannot be punished. Now we want the seller to be punished, if he sells articles below a certain standard of purity. Under this proviso, if the seller exposes for sale an article in the *bona fide* belief that it is of the nature, substance or quality as that demanded by the purchaser, he could not be punished. Therefore I say that provisions of clause (*d*) will be defeated by the acceptance of this proviso. I can understand the member saying that punishment in regard to a certain offence is severe. That is a matter of judgment. The House may consider that it is hard to make a man liable if he has not really a guilty intent or that he is not willingly guilty he ought not to be punished. On the other hand, I may think that he ought to be punished. But what I cannot understand is that a proviso should be inserted in the Bill to totally defeat a main purpose of the Bill,

MR. A. THANU PILLAI (*Trivandrum*): Because of the provision in Clause 4 (1) (*a*), will any person be justified in selling an article which is not of the standard of purity prescribed by sub-clause (*d*)?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): He will not be justified.

MR. R. VAIDYALINGOM PILLAI (*Registrar of Co-operative Societies*): Does sub-clause (*a*) apply to all articles?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes, it refers to all articles.

And sub-clause (*d*) refers to those articles in the case of which standards of purity are fixed. Therefore the proviso will defeat one main object of the Bill.

PRESIDENT: The amendment may now be put to vote.

The amendment was then put to vote, 15 voting *for* the amendment and 29 *against*.

The amendment was lost.

MR. P. S. MAHOMED (*Nominated*): I demand a poll.

A poll was taken with the following result.

AYES 15.

1. Mr. A. S. Damodaran Asan.	9. Mr. Tariatu Kunjitomman.
2. „ A. G. Menon.	10. „ A. C. Kuriakose.
3. „ Ittoop Itteechan.	11. „ P. S. Mahomed.
4. „ D. C. Joseph.	12. „ H. B. Mahomed Rowther.
5. „ R. Kesava Pillai	13. „ K. P. Nilakanta Pillai.
6. „ T. C. Kesava Pillai.	14. „ Muruvelil Pachu Pillai.
7. „ Tamarapallil Kochu-tomman.	15. „ S. Piraviperumal Pillai.
8. „ V. S. Krishna Pillai.	

NOES 29.

1. Mr. L. A. Bishop.	17. Mrs. Elizabeth Kuruvila.
2. „ I. C. Chacko.	18. Mr. D. Francis.
3. „ R. Dhanukoti Pillai.	19. „ K N. Kesavan Namputiri-pad.
4. „ K. George.	
5. „ P. Gomatinayakam Pillai	20. „ N. K. Krishna Pillai.
6. „ P. N. Krishna Pillai.	21. „ K. Madhavan Pillai.
7. Rao Sahib Dr. N. Kunjan Pillai.	22. „ Matthew Murikkan.
	23. „ G. P. Nilakanta Pillai.
8. Mr. T. K. Madhavan Nayar.	24. „ K. Padmanabha Panikkar.
9. „ E. G. McAlpine.	
10. „ R. Nilakanta Pillai.	25 „ K. G. Paramesvaran Pillai.
11. „ Kayalam Paramesvaran Pillai.	26. „ L. R. Raja Raja Varma Koil Tampuran
12. Dr. K. Raman Tampi.	
13. Mr. S. C. H. Robinson.	27. „ R. Raman Pillai.
14. „ R. Vaidyalingom Pillai.	28. „ Revati Nal Rama Varma Raja
15. „ J. S. Westerdale.	
16. „ V. Chellam Pillai.	29. „ A. Thanu Pillai.

NEUTRALS—2.

1. Mr. K. C. Karunakaran.
2. Rao Bahadur K. A. Krishna-Aiyangar.

Mr. R. Kesava Pillai's amendment was declared lost.

MR. P. S. MAHOMED (*Nominated*): I do not move my amendment. The following amendment was not moved :—

MR. P. S. MAHOMED (*Nominated*): Add the following as provisos to Clause 5.

(1) Provided that the vendor shall not be deemed to have committed an offence under this section if he proves that the food was purchased by him as the same in nature, substance and quality as that demanded by the purchaser and with a written warranty to the effect that it was of such nature, substance and quality that he had no reason to believe at the time when he sold the same that the food was not of such nature, substance or quality and that he sold it in the same state as that in which he purchased it.

(2) Where the accused person is found innocent and accordingly he is acquitted by the court, but the articles under trial are found unfit by the provisions of this Regulation or by the provisions of rules framed under this Regulation, the court may dispose of the articles according to Section 11 (2).

PRESIDENT: The question is that Clause 5 do stand part of the Bill.

The motion was carried and the Clause was added on to the Bill.

Clause 6.

PRESIDENT: There are no amendments to this Clause. The question is that Clause 6 do stand part of the Bill.

The motion was carried and the Clause was added on to the Bill.

Clause 7.

PRESIDENT: There are no amendments to this Clause. The question is that Clause 7 do stand part of the Bill.

The motion was carried and the Clause was added on to the Bill.

Clause 8.

PRESIDENT: Clause 8 may also be similarly dealt with. The question is that Clause 8 do stand part of the Bill.

The motion was carried and the Clause was added on to the Bill.

Clause 9.

PRESIDENT: The question is that Clause 9 do stand part of the Bill.

The motion was carried and the Clause was added on to the Bill.

Clause 10.

PRESIDENT: As there are no amendments to this Clause also, this may be treated as forming part of the Bill.

The question is that Clause 10 do stand part of the Bill.

The motion was carried and the Clause was added to the Bill.

Clause 11.

PRESIDENT : Clause 11 may also stand part of the Bill since there are no amendments to it.

The question is that Clause 11 do stand part of the Bill.

The motion was carried and the Clause was added to the Bill.

Clause 12.

PRESIDENT : The question is that Clause 12 do stand part of the Bill.

The motion was carried and the Clause was added to the Bill.

Clause 13.

PRESIDENT : As there are no amendments to the Clause, I think that the Clause may be added to the Bill.

The question that Clause 13 do stand part of the Bill was put and carried and the Clause was added to the Bill.

Clause 14.

PRESIDENT : The question is that Clause 14 do stand part of the Bill.

The motion was carried and the Clause was added to the Bill.

Clause 15.

PRESIDENT : The question is that Clause 15 do stand part of the Bill.

The motion was carried and the Clause was added to the Bill.

Clause 16.

PRESIDENT : The question is that Clause 16 do stand part of the Bill.

The motion was carried and the Clause was added to the Bill.

Clause 17.

PRESIDENT : The question is that Clause 17 do stand part of the Bill.

The motion was carried and the Clause was added to the Bill.

Clause 18.

PRESIDENT : The question is that Clause 18 do stand part of the Bill.

The motion was carried and the Clause was added to the Bill.

Clause 19.

PRESIDENT : The question is that Clause 19 do stand part of the Bill.

The motion was carried and the Clause was added to the Bill.

Clause 20.

PRESIDENT : The question is that Clause 20 do stand part of the Bill.

The motion was carried and the Clause was added to the Bill.

Clause 21.

PRESIDENT : The question is that Clause 21 do stand part of the Bill.

The motion was carried and the Clause was added to the Bill.

Clause 22.

PRESIDENT: The question is that Clause 22 do stand part of the Bill.

The motion was carried and the Clause was added to the Bill.

Clause 23.

PRESIDENT: Clause 23 may also be similarly dealt with. The question is that Clause 23 do stand part of the Bill.

The motion was carried and the Clause was added to the Bill.

Schedule attached to the Bill.

PRESIDENT: The schedule also may stand part of the Bill.

The question is that the schedule do stand part of the Bill.

The motion was carried and the schedule was added to the Bill.

Preamble and Title of the Bill.

PRESIDENT: The Preamble and Title of the Bill may now be taken up. The question is that the Preamble and Title of the Bill do stand part of the Bill.

The motion was carried and the preamble and title of the Bill were added to the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I move that the Bill be taken up on a subsequent day and passed.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I second the motion.

The motion was carried.

Amendment to Civil Procedure Code.

MR. P. N. KRISHNA PILLAI (*Secretary to the Legislative Council*): I beg to announce that Rule 5 (1) of Order IX of the Civil Procedure Code as amended by the High Court is laid before the Council.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I beg to move that the rule as amended be taken up for consideration.

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): I second the motion.

The motion was carried.

MR. A. THANU PILLAI (*Trivandrum*): I do not move my amendment.

The amended Rule was accepted by the House.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I move that the amended Rule be taken up on a subsequent day and passed.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I second it.

The motion was accepted.

Revenue Recovery Regulation Amendment Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) The next item of business is the introduction of the Revenue Recovery Regulation Amendment Bill.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Sir, I rise to a point of order. Under Section 11 clause (*a*) of the Legislative Council Regulation, this House is not competent to consider and enact any measure relating to or affecting the Ruling Family of Travancore. The Section reads as follows:—

"It shall not be lawful for the Legislative Council to consider and enact any measure relating to or affecting (a) The Ruling Family of Travancore;".

The measure that my friend now proposes to introduce before this House is one which, I submit, affects the realisation of the revenue which is due to the Sreepadom Palace. It has been ruled many a time that similar measures affecting the Sreepadom Palace should be taken to be measures affecting the Ruling Family of Travancore and that therefore this House is not competent to enact any measure relating to the Sreepadom Palace. Under the ruling I have quoted, this House is not competent to pass this Bill.

In this connection, I would bring to the notice of the House that a very innocent proposal which was mooted from this side of the House namely a proposal to give an address to His Highness the Maha Rajah on his attaining the 18th year of age was disallowed by the President of this House on the ground that it is not competent to enact any measure which affects the Ruling Family of Travancore. I may submit that it was the most innocent proposal which anybody can conceive and yet it was disallowed as it affected the Ruling Family of Travancore since under the Section that I have cited, the consideration of any measure affecting the Ruling Family is entirely excluded from the purview of this House.

That being the case, I ask the question, Sir, how this Bill can be moved in the Council and how the Executive authority of the State can be brought into display for realising the revenue of the Sreepadom Palace the members of which Palace belong to the Ruling Family of Travancore. On that ground I raise the point of order and submit that the Bill as it is now proposed cannot be moved in this Council under Section 11 (*a*) of the Regulation.

PRESIDENT: Although it is open to me to give a ruling on the point of order raised, I would considering the importance of the question involved in it invite the views of some of the members at least, upon this question as to what their idea about it is. I would therefore request Mr. Krishna Aiyangar to express his view in the matter.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): It would have been better if I had the advantage of hearing the Law Member in the first instance, for I do not know whether the scope of the Regulation so far as it affects the Ruling Family of Travancore is apparent from the Bill itself or the statement of objects and reasons.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Mention is made of Sreepadom Palace in the statement of objects and reasons.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): It does not appear to me to be part of the Bill. If any exception is moved that it shall not be applicable to—

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I refer Mr. Krishna Aiyangar to this sentence 'the term officer is not however defined, and doubts have been felt whether any officer of the Sreepadom Palace or of a Municipality could be lawfully invested with the powers? So, there, the word Sreepadom Palace is occurring.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): But the Bill is not confined to the Sreepadam Palace. It contemplates several cases where the power of proceeding under the Revenue Recovery Regulation has to be conferred on officers who could not strictly be declared Government officers, that is officers of the Municipality who are realising the Municipal dues under the compulsory provisions of the Revenue Recovery Regulation. Doubts have apparently been expressed whether they have got the necessary statutory power to proceed under the Revenue Recovery Regulation and whether after all they may not be asked to go to the civil courts for the recovery of their dues. If that is the construction that is likely to be placed on the action of the Municipal authorities, then I may say the Municipal administration could be brought to a deadlock. I suppose there may be other cases where a similar enabling measure will have to be passed in order that the existing state of things might be continued. My friend is not quite right in objecting to the introduction of the Bill in its entirety because one part of it refers to Sreepadam Palace estate. I presume subject to correction that the Sreepadam Palace estate belongs to Ranis of the Royal House of Travancore and this Bill does not appear to me to affect the Royal House of Travancore. Affecting the Royal House as I understand it means affecting their status as members of the Royal House. It is not open to this Council to pass any legislation for regulating the succession of the Royal House of Travancore or superseding the claims of some of the members or taking away or interfering in any respect with their prerogatives and privileges. But it is only an accidental circumstance that the Sreepadam estate is being held by the Ranis of Attingal who are no doubt members of the Royal House. I believe that the Travancore Statute law does contain provision regulating the relationship of landlord and tenant and that the Rent Recovery Regulation applies to the Edapalli Estate. That is the law in force at present in Travancore.

PRESIDENT: So far as Sreepadam Estate is concerned the rent due has been declared to be public revenue under the Revenue Recovery Regulation and the Revenue Recovery Regulation has been made applicable thereto.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Then this is only a matter of settling details as to whether persons who are appointed by the Sreepadam Palace should not be

subject to the disciplinary control of the general Government of the State. Sreepadam revenue is part of the public revenue of the State and if the Sreepadam Palace is allowed to realise its dues from the tenants under the Revenue Recovery Regulation there is no useful purpose to be served by discussing the hypothetical question raised by Mr. K. P. Nilakanta Pillai.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether the revenues realisable by the Sreepadom Palace have become part of the public revenue of the State ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): No. For the purpose of the recovery of their revenues they have been declared to be public revenue. As a matter of convenience and to maintain the prestige and dignity of the Royal House, instead of relegating them to the rank of an ordinary landed proprietor such as the Jenmi, some special consideration appears to have been shown and rightly shown to the occupants and the proprietors of these estates from time to time to help them to recover their revenues on identical terms on which land revenue is collected from Pandarapattom lands. While Mr. Nilakanta Pillai does not object to the Statute law under which the Sreepadam revenue may be collected under the provisions of the Revenue Recovery Regulation the question that he has probably in view is whether as regards the Manager of the Sreepadam Estate which for all practical purposes is not part of the revenue yielding portion of Travancore so far as the general public is concerned. Government would be justified in giving him some legal status to which he is not entitled, if the appointment is not subject to the control of the executive Government for the time being.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I remind the other aspect also if the executive is not competent to control?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): That is just the point I am developing. I realise the apprehension that Government by virtue of this Bill may extend the authority to the Manager who by education, culture and status and antecedents is absolutely—

PRESIDENT: We are on the point of order.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): The point of order is whether this Bill can be brought before this Council with a view to legislate indirectly for what could not be done directly.

PRESIDENT: Whether this Bill is repugnant to the provisions of the Legislative Council Regulation is the point that we have to consider.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): The point of order relates only to the particular portion of it. In other respects there is not much in it. The objection mainly relates to the investing of Sreepadam officers with some administrative

[Rao Bahadur K. A. Krishna Aiyangar.]

authority which this House is not competent to legislate about. That is the line in which he is dealing with it. There may be something to be said in support of the position that Government should have administrative control over the parties to whom the statutory power is to be extended. But the main question as the President put it is whether it is repugnant to the Legislative Council Regulation. After giving my anxious consideration I am constrained to come to the conclusion that we do not offend that Regulation by allowing this Bill to be discussed by this House.

MR. A. THANU PILLAI (*Trivandrum*): May I ask whether this House has got power....

PRESIDENT: This is not a discussion. I invited the views of Mr. Krishna Aiyangar on the point of order raised and before I pass my ruling I shall if I want your views ask you to speak. As you know, it is only with the permission of the Chair that you can discuss, because discussion is not permissible in the case of a point of order.

MR. A. THANU PILLAI (*Trivandrum*): I wanted to know whether it is his opinion that we can legislate regarding matters relating to Kandukrishi and Sreepadom lands?

PRESIDENT: So far as that is concerned the Statute lays down (that is explanation to Section 1) that pattam due on Kandukrishi and Sreepadom lands are within the meaning of this definition *i. e.* the definition of the term 'public revenue' that we have in the Revenue Recovery Regulation as it stands.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): With your permission Sir, I also want to ask a question.

PRESIDENT: As I pointed out it is a point of order, and the members have a right to address the President only if they are called upon to do so, because a discussion is not allowed. And it is because before giving my ruling on the point I desired to have the views of some of the members that I called upon Mr. Krishna Aiyangar first to express his views, and now I am calling upon Mr. Thanu Pillai to give me the benefit of his views also. As you know, when one member is in possession of the House I don't think it will be in order for other members to speak.

MR. A. THANU PILLAI (*Trivandrum*): The fact that the definition of the term 'public revenue' in the Revenue Recovery Regulation covers also Sreepadam dues does not in my opinion affect the question before the House. That Regulation was not passed by this House, if I remember correct.

PRESIDENT: I do not know whether that would make any distinction. A Regulation passed before this House was brought into existence will have as much statutory force as the Regulation passed by this House.

MR. A. THANU PILLAI (*Trivandrum*): I do not for a moment dispute the validity and the force of such a Statute. My point is whether we can legislate for matters relating to recovery of dues to be paid to the Sreepadam Palace. That is the only question before the House. No doubt the law that was passed before this Council came into existence was passed by a similar Council. But that does not affect the question whether this Council has got a right to legislate for this matter. We are controlled by Section 11 of the Legislative Council Regulation which runs thus :—

"It shall not be lawful for the Legislative Council to consider and enact any measure relating to or affecting.

(*a*) The Ruling Family of Travancore."

Apart from all considerations relating to the existing Revenue Recovery Regulation which was passed under a different set of circumstances, apart from a question of that nature we have only to consider whether this House has a right to consider a measure like this. To me it appears that it will be idle to contend that the proposed measure is not one affecting the Ruling Family of Travancore. It clearly affects the Sreepadam Palace management. The statement of objects and reasons clearly says thus :

"The term 'officer' is not however defined, and doubts have been felt whether any officer of the Sreepadam Palace or of a Municipality could be lawfully invested with the powers. To remove such doubts an 'Explanation' is proposed, by this Bill, to be added to Section 58."

And the explanation now proposed is as follows :—

"Explanation.—The expression 'officer' includes, for the purposes of this Section, every officer of Our Government and every officer of a Municipality as also every person employed for, engaged in, or responsible for, the collection of any public revenue or the dues of any local authority."

The clear object here is to enable Sreepadam employees to take action under the Revenue Recovery Regulation. If this Bill is brought forward with any object at all that is clearly the object. Of course, the learned Deputy President Mr. Krishna Aiyangar, may say that is only part of the object of the Bill. But that makes no difference. The Bill ought to have been put into this House with the object of providing for the collection of municipal dues and then there would have been no objection. But here is a Bill which apparently at any rate seeks to enable the Sreepadam employees being invested with the powers under the Revenue Recovery Regulation. The fact that the term public revenue under the Revenue Recovery Regulation covers the Sreepadam dues does not affect the question before us at all. That has nothing to do with it.

PRESIDENT : Mr. Thanu Pillai, then your position is that, if the Government so require it, it must be done by direct legislation. Is that your position ?

MR. A. THANU PILLAI (*Trivandrum*) : I leave it to the Government. It should not be taken that I mean to say that it will be a proper thing for the Government to legislate with the object of investing Sreepadam officers with these large powers.

PRESIDENT : That is going into the merits of the question.

MR. A. THANU PILLAI (*Trivandrum*) : According to the Rules as they stand this House has no right. I adhere to the strict interpretation of the Rules. While adhering to the strict interpretation of the law I may say that I am not unwilling to have more power. I should not be taken to say that the law when is directly passed will be a wise or good law or one in consonance with good principles of administration. Far from it ......

PRESIDENT : That matter may be left alone. We are at the point of order just now.

MR. A. THANU PILLAI (*Trivandrum*) : I had to refer to it in reference to a question from the Chair.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : If under this Regulation an officer of the Sreepadam Palace would be invested with some authority will it be open to this House to take away that power?

MR. A. THANU PILLAI (*Trivandrum*) : I do not understand.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : My point is, there are two aspects of the question the positive side and the negative side. If by positive action this House can empower an officer of the Sreepadam Palace to recover the revenue due to the Sreepadam Palace will the House be competent to take away that authority by negative action ?

MR. A. THANU PILLAI (*Trivandrum*) : I should like to make the point clear. The Bill so far contemplates persons engaged in the collection of revenues. It is only to them that this Bill applies. It will be for the Government to invest any officer or any set of officers they like with these powers. The result would be that any employee of the Sreepadom Palace or any set of employees of the Sreepadam Palace may be authorised. But then the Government will have no control over them.

PRESIDENT : I again invite your attention to the fact that you have to confine yourself to the point of order.

MR. A. THANU PILLAI (*Trivandrum*) : So, I say, if we pass this measure it will not be easy to take away the powers conferred unless we bring forward an amending Bill to define the kind of officers or to withdraw the powers. If the rule be that we have got powers to legislate in one direction, it clearly follows that we have got power to legislate in the contrary way as well. But the question here is whether we have got the power.

PRESIDENT : Mr. Madhavan Pillai, will you kindly give your views.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : I do not feel myself competent.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Sir, with your permission I shall add a word.

PRESIDENT: You cannot claim it as a right.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : That is why I said 'with your permission.'

PRESIDENT : Even then, it is one in which the Chair is called upon to exercise its discretion. If you want yourself to be one of those who have to express their views, you will have to leave it to the Chair to permit you and not make a proposal without the permission of the Chair. It would not be graceful. Anyhow, I shall invite your views. What do you say ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : In regard to the point of order raised, what I wish to state is that this Council is competent to enact this piece of legislation. I do not want to enter into the merits of the question.

PRESIDENT : Please confine yourself to the point of order, if you desire to express your views on it. The objection raised is that, because the measure refers to properties of Sreepadam Palace, it comes under Section 11 (a) of the Legislative Council Regulation.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : We find that Section 8 of the Civil Procedure Code enacted by this Council relates to Kandukrishi lands. No objection seems to have been raised to it. So a precedent in this House allows an enactment about properties relating to Kandukrishi and Sreepadam lands. But then this being an important matter which touches the rights of this House, an authoritative ruling is of very great importance as far as this House is concerned. Otherwise, when this Council sanctions the introduction and passing of this legislation and when any one of the members of the House desires to bring in a Bill to amend this legislation, technical objection on the ground of Section 11 (*a*) is likely to be brought forward. I have experienced such a difficulty and that is why I am particular in drawing the attention of the Chair to this.

PRESIDENT : Are suits relating to Sreepadam properties prohibited on the ground that they relate to the affairs of the Royal Family ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : They are not

PRESIDENT : As far as Kandukrishi lands are concerned suits are not cognisable. They are on a different footing. So far as Sreepadam properties are concerned the suits are with respect to them prohibited on the ground that they contravene the provisions of Section 11 (*a*) or on the ground that the Regulations which are enacted by the Legislative Council will not be applicable to Sreepadam lands.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Section 8 of the Civil Procedure Code applies to Kandukrishi lands.

PRESIDENT : Is it your objection that the Legislative Council has no right to enact any measure affecting the members of the Royal Family, and that Sreepadam lands belonging to a member of the Royal Family must necessarily be one of the matters which are taken away from the purview of the Legislative Council Regulation ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : That was the objection raised.

PRESIDENT : Well, I ask you whether with regard to suits which are brought under the Civil Procedure Code, an enactment passed by this Council, you maintain that they could not be filed because the provisions of the Civil Procedure Code passed by this Council are not applicable to matters relating to the Sreepadam Palace ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : I do not say that they are inapplicable.

PRESIDENT: Then, what is your position? You say that the consideration of this matter would offend the provisions of Section 11 (*a*) of the Legislative Council Regulation or do you say that it is within the purview of the powers of this Council ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I say that from the start it is within the purview of the Legislative Council to enact a measure relating to Sreepadam properties.

PRESIDENT : You say that this Council has power ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Yes. That is why I said that a ruling is absolutely necessary.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I wish to put a question to Mr. Asan.

PRESIDENT : I am afraid, you are not in order. The remarks I made with respect to non-official members who wanted to intervene in this matter must apply equally to the official members. You may suggest a question if you want.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I do not want to make a speech I merely want to put a question to Mr. Asan, and I request you, Sir, to put a question to Mr. Asan whether his position is that if the measure did relate to Sreepadam lands this Bill is in order.

PRESIDENT : He has expressed himself the other way. He has considered all the aspects of the question and has said that it is within the purview of this Council to enact a measure relating to Sreepadam land. If your views are invited you may meet his point in the course of your speech.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am not proceeding to state my views. As I did not quite understand his position. I merely wanted to put the question.

PRESIDENT : Your question does not arise at all.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Karthikapalli*): What I wanted to suggest was this. As regards these properties over which the members of the Royal Family have special rights this Council is not incompetent to enact a law.

PRESIDENT: We are not concerned with that general question. We are now concerned only with the question whether the Bill is in order. What the powers of the Council with respect to other matters, for example, the members of the Royal Family are, need not be considered. You have to confine your remarks to the point of order in question. With reference to other matters a general ruling need not be called for. As I said, we are to confine ourselves to the point in hand.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Karthikapalli*); And that point is whether a legislation which touches Sreepadam properties because some members of the Royal Family have special rights could be enacted by this House. Because an enactment relating to Kandukrishi lands of the members of the Royal Family was allowed, there is the precedent to support my position. I want an authoritative ruling because an amendment of this very same legislation should not be ruled out on the ground of Section 11 (*a*) of the Legislative Council Regulation.

PRESIDENT: Why do you anticipate all that? As it is, we are only concerned with this Bill.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): We have to anticipate.

PRESIDENT: A ruling on a hypothetical question could not be sought for.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*)' I shall just point out the necessity for a ruling.

PRESIDENT: You may seek for it when an occasion arises and then it would be considered.

I overrule the point of order raised, because, in the light of the provisions of the Statutes especially the Civil Procedure Code and the Revenue Recovery Regulation, I hold that it is within the purview of the powers of this House to enact this measure.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Now then, Sir, I may proceed I was reminding the House, that I had already moved in a previous session that the Bill be read in the Council and the discussion was being proceeded with. Therefore it is hardly necessary for me to recapitulate what I stated then. The House knows well why I wanted a measure of this kind.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether any official of the Sreepadom Palace would be invested with the authority so that the Revenue Recovery Regulation may be brought into operation for recovering the revenue of Sreepadom lands?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether it would be competent for the House by any piece of legislation to take away the authority so invested by this Bill?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*); That does not arise now. I am only moving that this Bill be read in Council.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether this Council is competent to discuss a resolution for abolishing payment in kind of Sreepadom lands?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am not considering that point now. And that does not arise in this debate, I am saying just now that the discussion on the Bill may be continued.

MR. A. THANU PILLAI (*Trivandrum*): Sir, am I to begin the discussion?

PRESIDENT: In fact, discussion has proceeded to a certain extent and we will continue that.

MR. A. THANU PILLAI (*Trivandrum*): Sir, I placed certain facts before this House last time in connection with the introduction of this Bill to show that it would be highly undesirable that powers proposed to be conferred upon Sreepadam officers should be so conferred on them. Sir, it is a well-known fact that even though Sreepadam forms part of the Royal Family of Travancore, Sreepadam Department is quite distinct from the Government of this State. Government have absolutely nothing to do with the management of Sreepadam affairs. Of course, if I make a mistake, I hope, the Law Member will correct me. So far as I have been able to see, Government is quite distinct from Sreepadam and Sreepadam is quite distinct from the Government of Travancore. I do not think that even the Head of the Administration can exercise any kind of disciplinary control over the officers attached to the Sreepadam Palace. With this fact clearly in view, we have to proceed and consider whether it is advisable to invest Sreepadam officers with the powers that are now proposed to be conferred upon them. We have to see in this connection what those powers are. The powers under the Revenue Recovery Regulation that are now exercised by the Dewan Peishkars, Tahsildars and other officers are of a very extensive kind. The existing Revenue Recovery Regulation authorises Revenue officers and other officers, to attach properties, movable and immovable, and to sell them, and realise the revenues due to Government. A mere statement of this fact shows clearly the extent of powers exercised by these officers. Attachment of properties movable and immovable of any land-holder from whom rent is due, proclaiming them for sale, and selling them that is a kind of power which these officers are exercising. Sir, it is clearly an alarming proposition that such powers should be conferred upon

persons over whom Government have absolutely no control. Now the amount of harm that might be caused to private land-holders simply because they happen to be holders of lands under Sreepadam, will be really great and it is quite unsafe for any Government to invest any set of persons with such large powers over whom Government have no control. If the Government had any voice in the appointment of these persons, if they could control their actions, if they could remove them--in that case conferment of powers would have been quite a different matter. I thought that Government would come forward with a proposal wherein provision would be made for the disciplinary control by Government over the Sreepadam employees and their officers. The object of the Bill is this. In the statement of objects and reasons it is stated thus:

"Section 58 of the Revenue Recovery Regulation (1 of 1068) empowers Government to invest any officer with the powers of a Peishkar, Tahsildar or Proverthicar under the Regulation. The term 'officer' is not however defined, and doubts have been felt whether any officer of the Sreepadam Palace or of a Municipality could be lawfully invested with the powers. To remove such doubts an "Explanation" is proposed by this Bill, to be added to Section 58."

That clearly shows the extent of powers sought to be conferred on the employees of the Sreepadam Palace; such powers are now exercised by Peishkars, Tahsildars, and Proverthicars. No doubt the present law says that Sreepadam dues are to be public revenues. But if they are so, the machinery for collecting these dues should not be left entirely in the hands of the Sreepadam Palace. We understand Sreepadam dues being considered as public revenues for being collected in accordance with the provisions of the Revenue Recovery Regulation. My only point is that power should not be invested in officers over whom the Government have no control. If Sreepadam authorities are willing to see that officers are appointed controlled and removed by Government, then there is no objection to this law going into the Statute Book. But to say that Sreepadam Palace should have independent control and Government should not have anything to do with it, then it seems to me, that the proposition that the Sreepadam officer should be invested with such powers, is a proposal which this Council should not countenance.

There is also the question of Municipalities coming in. Personally I do not think there is any objection to any Municipal employees being invested with these powers, because Government have control over them and as a matter of fact Government do appoint municipal employees.

PRESIDENT: How do the Government exercise control over them?

MR. A. THANU PILLAI (*Trivandrum*): There are provisions in the Municipal Regulation relating to the appointment of Municipal Officers which give power to Government to appoint them, no doubt, with the sanction of the Municipal bodies. Anyhow Government do exercise

[Mr. A. Thanu Pillai.]

control. At any rate the Higher Officers are appointed by Government, Presidents are appointed by Government, Government have also financial control over Municipal Bodies. So if I am right, Higher Grade Officers are appointed by Government, and, that being the case, there cannot be much objection the Municipal employees being invested with these powers. Not only that. Municipalities are subject to the control of the people. It is not so with Sreepadam Palace. I should not be taken to mean any disrespect to the Sreepadam Palace. It is a matter affecting the fundamental rights of the people. So with all respect to the Sreepadam Palace and with all anxiety to see that its dues are collected and every facility is given for that, I feel constrained to oppose this Bill on the grounds I have stated.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : I also oppose the Bill. Besides the observations of my friend Mr. A. Thanu Pillai, I beg to submit that this Bill is dangerous because it is vague. One more point is that from the provisions of the Bill the expression "officer" includes, for the purposes of this Section, every officer of Our Government and every officer of a Municipality as also every person employed or engaged in, or responsible for, the collection of any public revenue or dues of any local authority.

Then the question arises what is meant by "local authority". Whether a Jenmi or the officer employed by Edapalli or other chieftains and whether they are also empowered with the authority to exercise the provisions of the Revenue Recovery Regulation.

PRESIDENT : You are referring to the realisation of arrears due to other bodies.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : So far as the wording of the particular explanation is concerned we are at a loss to understand the real definition, because the Bill does not give any instance of what local authority is. I do not know whether a rich Jenmi could be accepted as the local authority or whether such Jenmies' officers can be accepted as the local authority for purposes of the Revenue Recovery Regulation.

PRESIDENT : Does it not refer to public bodies to which the Revenue Recovery Regulation may be made applicable? Municipality is a local authority. There may be other local authorities to which may be extended the right of recovery of arrears under the Revenue Recovery Regulation.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : We have to know what the proposer of the Bill has to say and what is meant by "local authority". It is not a question of interpretation which I propose to give. Local authority may mean anything and everything and so, the danger also is present in the Bill. In a measure of this kind, the one point that we have to consider is, whether the Government have any

control over Sreepadam Palace. When we have no idea of the status of officers to be invested with powers and when they put the law into operation, under such circumstances, it is only with caution such enormous powers can be conferred on them. The Executive as such has no control over the Palace employees. They are not subject to the provisions of the T. S. R. Such being the case, Palace employees are free to do anything and everything. They could put in superannuated men and men who have no qualifications can also be appointed. Any man, whether he has qualifications, whether he is a wicked man or whatever it be, Sreepadam Palace may employ such men and we will not be allowed to question the affairs of the Palace. Many a time it has been urged in this Council that powers delegated by Government should be properly scrutinised and see that they are discharged well by their subordinates. If a man happens to be wicked and if he is allowed to exercise powers under the Regulation we can all imagine the danger that will be caused to the public. We cannot table a resolution to remove such a man. Such being the case it is a very dangerous piece of enactment and without the House being allowed to have some sort of control over the Sreepadam Officers the Bill cannot be allowed to go into the Statute Book. That aspect of the question has to be gone into thoroughly.

Again there is no Statute which defines that Sreepadam is a local authority. This is the first piece of legislation from which we come to understand that Sreepadam can be treated as a local authority. That doubt is there. Can it for all purposes be taken to be an institution meaning for local authority. So, before accepting it as the local authority all the privileges must be given to this House to consider this aspect of the matter with special reference to Sreepadam Officers, before recognising this institution as a local authority. With reference to all these matters I submit this Bill is a dangerous piece of legislation and it cannot be allowed to be passed in this House.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Sir, I beg to support the principle of the Bill generally.

As regards the Municipal Councils, there is considerable control by the Government for the administration of the Municipality. Every appointment in the Municipal Offices is made by the President under a special power of delegation authorised by Government as in the case of other departments. Up to a certain amount of Rs. 40, the Municipal President is allowed to make appointments. Where it exceeds that amount sanction of the Government has to be obtained. Within limits within which he is allowed to make appointments, he is allowed to grant leave, make suspensions and dismissals. In other cases, like other departmental heads he has to refer to Government and abide by the Standing Orders thereto. Recruitment of the staff should be in accordance with rules issued from time to time by Government under the T. S. R. There is the budgetary control by the Government. No Municipal body is competent to spend any money not included in the Budget sanctioned by Government. So far as Municipal Councils are concerned there may not be any manner of doubt

[Rao Bahadur K. A. Krishna Aiyangar.]

that these public institutions are even now under the control of Government in several directions. The accounts in Municipalities are audited by officers sent out by the Audit Department. Objections sent out by the Audit Department have to be explained by the municipal authorities. Any expenditure not covered by the sanction of the Council or under the general sanction of the budget is not an item of expenditure which the Account Officer would pass. The Municipality is a public body and the power of realising their dues in a summary manner under the coercive process of the Revenue Recovery Regulation have been exercised ever since the inauguration of these Municipal Councils. And Government have in some instances invested particular officers of the Municipal Council, some with the authority of a Tahsildar, some with the authority of a Peishkar and in all cases, the right of attachment is confined to movables. From the statement of objects and reasons in the Bill, I find that doubts have been expressed as to the competency of the municipal bodies to proceed under the Revenue Recovery Regulation for realising their outstandings. I presume doubt also must have been raised as to the competency of Government to invest these officers of Municipal Councils with authority to proceed under the above Regulation. If things have reached that stage, there cannot be any doubt that the remedy should be provided at the earliest opportunity, so that, these popular institutions might carry on their functions without having to face the alternative of going to Civil Courts for the recovery of 5 fanams under license or six chackrams as house tax. The mover Mr. K. P. Nilakanta Pillai was apparently labouring under a misapprehension that the word local authority has not been defined. It appears to me a local authority has been understood as a statutory body which is allowed to exercise certain definite functions for looking after the affairs of particular localities. The Municipal Councils, perhaps the Village Panchayats, Taluk Boards and District Boards are all constituted on a statutory basis. All the local bodies are distinct from the general paramount authority of the State represented by the Government. I therefore submit that as a matter of principle, these local bodies should be nursed with sympathy and consideration by Government and all legitimate help be given to them.

As regards the extension of the Bill to the officers of the Sreepadam Palace, in the larger interests of the public, there is no denying the fact that some sort of control ought to be exercised, insisting on certain service qualifications being complied with. Some sort of pensionary contribution should be made by Municipal Councils year after year and when the officers retire, they can draw their pensions from Government. Some sort of security of tenure ought to be created in favour of these officers also. As I submitted, they are entitled to collect arrears of tax under the existing law itself. We are now proceeding a step further as to whether Government have got authority to extend their statutory power to officers of the Sreepadam Palace for exercising powers which Proverthicars, Tahsildars and Peishkars exercise. This is the question now. If doubts have been raised, no

doubt, they should be set at rest. All abuse of powers under the Regulation should be checked and protective measures adopted. There should be some sort of disciplinary control, some sort of permanency secured, to officers working there, to save them from temptation. I may submit, Sir, that up till now, I have not heard any complaint of any officer of Sreepadam Palace. But in considering a piece of legislation, it is no doubt open to Government to provide necessary safeguards. To throw out this Bill by saying that Government have not got any control over Sreepadam Officers, would be nullifying the effect of the provisions of the Revenue Recovery Regulation.

MR. A. THANU PILLAI (*Trivandrum*): May I know whether it is not the practice to collect Sreepadam dues by means of the Revenue Recovery Regulation through Government Officers?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I do not know anything about it. I accept my friend's statement as correct. That does not in any way interfere with the principle which we are at now. The interests of Government, barring the charges of maintaining the officers of the Sreepadam Palace to collect arrears of dues, do not suffer. Perhaps it is better policy to ask them to nominate their own officials to realise the dues and empower them to do so.

MR. A. THANU PILLAI (*Trivandrum*): May I know whether it is a proposal that provision should be made in this Bill for providing safeguards as regards control over Sreepadam officers?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): It is a matter of detail to be worked out in the Select Committee. At present I am generally for affirming the principle of the Bill. There is no use saying that Revenue Recovery Regulation has a provision to collect Sreepadam dues and that Sreepadam revenue is public revenue and at the same time saying we would not allow them to recover arrears under the Regulation. It is no use asking Government officers to do Sreepadam work which is not Government work for which no contribution is levied. Perhaps, the better course will be, to ask them to make a contribution for the maintenance of the staff or recruit their staff subject to the provisions of the Civil Service Regulations. Our paramount idea at present is to protect the interests of land to protect the interests of land-owning classes whether in or outside the Edavaka. Both the officers of Government and Sreepadam Palace officials should be placed on an equality of status, so far as recovery of revenue is concerned. It will not be fair to say, having given them the necessary right that they would not be provided with the necessary agency to exercise those powers, to collect their outstandings. With these observations, I am, generally, for the principle of the Bill being affirmed.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Sir, it is not my intention to take the time of the House at this late hour of the day. But I wish to submit one word. That is, to thank

[Mr. S. Piraviperumal Pillai.]

you for giving us, as a result of this Bill, the opportunity to discuss a Bill which otherwise would not have been allowed to be discussed. This Bill has removed some of our disabilities, Sir..........

PRESIDENT: I do not know whether you are in order; because, your observations touch the ruling already given by the Chair. The discussion of a ruling already given by the Chair is not permissible.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): After hearing what the members on both sides of the House have spoken on this Bill, I am afraid, Sir, that, so far as I am concerned, it has become a conflict between my head and my heart. My heart supports the principle of the Bill; but my head opposes it.

PRESIDENT: And, what is the result? (*Laughter.*)

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): The result can be known only at the time of voting. (*Laughter.*)

Sir, the views of most of the members have been placed before the House; and we would shortly be called upon to vote. As I have already stated, my heart supports the principle of the Bill, but my head opposes it. It is just to bring this point to the notice of the House that I rose to speak on this motion now before the House.

PRESIDENT: Evidently, Mr. Piraviperumal Pillai wants to reserve his views till the time of voting.

MR. P. S. MAHOMED (*Nominated*): പബ്ലിക്‌റവന്യൂ പിരിക്കുന്നതിനുവേണ്ടി ചില ഉദ്യോഗസ്ഥന്മാരെ നിയമിക്കുന്നതിനെ സംബന്ധിച്ചോ അല്ലെങ്കിൽ അവരിൽ ചിലർക്കു ചില അധികാരങ്ങൾ നൽകുന്നതിനെ സംബന്ധിച്ചോ ആകുന്നു ഈ ബിൽ ഇവിടെ കൊണ്ടുവന്നിട്ടുള്ളതു്. ഇപ്പോൾതന്നെ ഈ റവന്യൂവിൽ പലതും പലരും പിരിക്കുന്നു. ഗവൺമെന്റു റവന്യൂവിനെ സംബന്ധിച്ചു യാതൊരു തർക്കവും ഇല്ല. പിന്നെ മുൻസിപ്പാലിറ്റിപോലെയുള്ള പൊതു സ്ഥാപനങ്ങളിൽ റവന്യൂപിരിക്കുന്നതിനെ സംബന്ധിച്ചു നാളതുവരെ സ്വീകരിച്ചിരിക്കുന്ന നയംതന്നെ മേലും തുടർന്നുകൊണ്ടുപോകുന്നതിൽ എന്തോ ഒരു സംശയം ഗവൺമെന്റിനു തോന്നിയതുകൊണ്ടാണു് ആ സംശയനിവൃത്തി വരുത്തുന്നതിനുവേണ്ടിമാത്രം ഈ ബിൽ ഇവിടെ അവതരിപ്പിച്ചിട്ടുള്ളതു്.

മുൻപു നടത്തിവന്ന സംഗതികളെ ഇല്ലാതാക്കി പുതുതായ സംഗതികളെ ഉണ്ടാക്കുന്നതിനോ മുൻപു ഇല്ലാതിരുന്നു എന്നു ജനങ്ങൾ വിശ്വസിച്ചിരുന്ന ഒരധികാരത്തെ പുതുതായി സൃഷ്ടിക്കുന്നതിനോ അല്ല ഈ ബിൽ കൊണ്ടുവന്നിട്ടുള്ളതു്. മുൻപു നടന്നുകൊണ്ടിരുന്ന

സംഗതികളിൽ ന്യൂനതകൾ ഉണ്ടെങ്കിൽ അവയെ നിയമത്താൽ ഒന്നു കൂടി വ്യക്തപ്പെടുത്തി വ്യക്തമായ രീതിയിലുള്ള അധികാരം നൽകാം എന്നുള്ളതാണ് ഈ ബില്ലിന്റെ ഉദ്ദേശം.

MR. R. RAMAN PILLAI (*Kottayam*): ശ്രീപാദം വസ്തുക്കളുടെ കരം ഗവണ്മെന്റിൽനിന്നും അല്ലേ പിരിക്കുന്നതു്?

MR. P. S. MAHOMED (*Nominated*): ഗവണ്മെന്റുനാളതുവരെ പിരിച്ചു.

MR. R. RAMAN PILLAI (*Kottayam*): അവർക്ക് ഗവണ്മെന്റു വല്ല അധികാരവും കൊടുത്തിട്ടുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*): ഇപ്പോൾ അവരെ മാത്രം ഉൾപ്പെടുത്തുന്നില്ല. അവർക്കുതന്നെ അധികാരം കൊടുത്തിരിക്കുന്നു.

റവന്യൂ പിരിക്കുന്ന വിഷയത്തിൽ എന്തധികാരമാണ് നല്കേണ്ടതു്? ആരെയാണ് നിയമിക്കേണ്ടതു്? അതു ഏതെല്ലാം സ്ഥലങ്ങൾക്കാണ് എന്നുള്ള സംഗതികൾ സിലക്ടുകമ്മിററിയുടെ ആലോചനക്കശേഷം ഇവിടെ നിശ്ചയിക്കേണ്ട സംഗതികളാണ്. ഇപ്പോൾ ആലോചിക്കേണ്ടതു പബ്ലിക്ക് റവന്യൂ പിരിക്കുന്നതിനു ചില ഏജൻസികൾക്കു അധികാരം കൊടുക്കണം എന്നുള്ളതാണ്. അതിനാൽ അതിന്റെ തത്വത്തെ സ്വീകരിക്കുന്നതിൽ ആൎക്കും യാതൊരു തടസ്സവും ഉണ്ടാകുമെന്നു തോന്നുന്നില്ല.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): ഈ ബില്ലിനെ സംബന്ധിച്ചു് എനിക്കും രണ്ടുവാക്കു പറയാനുണ്ടു്. റവന്യൂ റിക്കവെറിറഗുലേഷൻ മുൻസിപ്പാലിററി കരം പിരിക്ക, ലോക്കൽബോർഡ്സെസ്സ് പിരിക്ക തുടങ്ങിയുള്ള സംഗതികളിലും ഗവണ്മെന്റു കാൎയ്യാദികളിലും മുൻനിൎത്തിപ്രവൎത്തിച്ചുവരുന്നുണ്ടു്. ശ്രീപാദംവസ്തുക്കളെ സംബന്ധിച്ചും റവന്യൂറിക്കവെറി റഗുലേഷൻ ഉപയോഗിക്കുന്നതിൽ ഈ കൌൺസിലിൽ ഇരിക്കുന്ന ആൎക്കുംതന്നെ യാതൊരുനഷ്ടവും വരാനില്ല. ഗവൺമെന്റുമനഃപൂൎവ്വമായി വിചാരിക്കുന്നപക്ഷം കൗൺസിലിന്റെ പരിധിയിൽ ഉൾപ്പെടുത്താതെതന്നെ പലറഗുലേഷനും ചട്ടങ്ങളും ഉണ്ടാക്കുവാൻ സാധിക്കും. എന്നാൽ പ്രത്യേകമായ ഒരുസംഗതിക്കുവേണ്ടി റവന്യൂറിക്കവെറി റഗുലേഷൻ ഉപയോഗപ്പെടുത്തി അധികാരങ്ങൾ കൊടുക്കുന്നതു നന്നായിരിക്കയില്ല. കൊവാപ്പറേററീവ് സൊസൈററിയിലെപണം പിരിക്കുന്നതിനു റവന്യൂറക്കവെറിറഗുലേഷൻ ഉപയോഗിച്ചാൽ എങ്ങിനെയോ അതുപോലെയാണ് ശ്രീപാദംവസ്തുക്കളെ സംബന്ധിച്ചും ഇതേൎപ്പെടുത്തുന്നതു്. ഇ

[Mr. T. C. Kesava Pillai.]

തിൽ മുനിസിപ്പാലിററി എന്നു ചേർത്തിരിക്കുന്നതു് ശ്രീപാദത്തെക്കൂടി ഉൾപ്പെടുത്താൻ വേണ്ടിമാത്രമായിട്ടാണെന്നും തോന്നുന്നു. മുനിസിപ്പാലിററിയിൽ ഇപ്പോൾതന്നെ അഡ്മിനാദരെ പ്രവൃത്തികാരരെന്നും ഇൻസ്പെക്ടരെ തഹശീൽദാർ എന്നും പ്രസിഡൻറിനെ പേഷ്കാരെന്നും പറയുന്നുണ്ടു്.

MR. P. S. MAHOMED (*Nominated*): ഈ അധികാരങ്ങൾ ഗവണ്മെൻറിൽ നിന്നും ഇപ്പോൾ കൊടുത്തിട്ടുണ്ടോ?

MR T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ഇപ്പോൾതന്നെ കൊടുത്തിട്ടുണ്ടു്. മുനിസിപ്പാലിററിയ്ക്കു ഈ അധികാരം കൊടുക്കുന്നതു കൊണ്ടു ദോഷമില്ല. എന്തുകൊണ്ടെന്നാൽ മുൻസിപ്പാലിററിയുടെ പ്രവൃത്തിയിന്മേൽ അപ്പീൽ കൊടുക്കുന്നതിനു അവകാശമുണ്ടു്. ശ്രീപാദത്തെ സംബന്ധിച്ചു് അങ്ങിനെയില്ലാത്തതിനാൽ ഈ അധികാരം കൊടുക്കുന്നതുശരിയല്ല.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): The Legislative Council is intended to legislate only on matters affecting the public of Travancore. It is now very curious to note that we are being called upon to legislate on matters affecting private bodies also.

PRESIDENT: The Statute does not treat the Sreepadam Palace as a private body; because, it has been declared in it that the arrears due to it are arrears of public revenue for the purpose of this Regulation. When the whole Regulation is sought to be amended, then it would be time enough for you to consider the question that you are now attempting to raise.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): I have got my own arguments to prove that the Sreepadam Palace is a private body. The revenue collected by the Sreepadam Palace is not in any way spent for public benefit. The Sreepadam Palace collects revenue and utilises it for its own private purposes. So, when not even a single cash out of its revenue is spent for public purposes, how can that body be treated as a public body, and its revenue as public revenue for the purpose of collection of arrears? In the case of the municipalities, the question is quite different. The Municipality is a local authority. It collects local revenue and spends it for the benefit of the loca people. In this matter, therefore, the Sreepadam Palace is quite distinct from the municipalities.

Secondly, while powers are now sought to be conferred on the Sreepadam Officers, there is absolutely no provision ensuring that they would in any way be made responsible for their acts in the exercise of these powers. Suppose, a wrongful attachment or wrongful sale of property is made by a Sreepadam Officer. Is there any provision, in this Amendment Bill now before the House or in the Revenue Recovery Regulation itself, to punish the Sreepadam Officer concerned for

the wrongful attachment or sale? On the other hand, in the case of other officers invested with the powers, there is provision for their punishment for wrongful exercise of power. The Bill seeks to give the Sreepadatm Officers all the benefits in regard to the collection of revnue, while, at the same time, they are left scott-free in regard to their misdeeds. They get all advantages but are not subject to any of the liabilities. It is therefore a partial legislation so far as the Sreepadam Officers are concerned. We are asked now to accept the principle of this piece of legislation without considering the good and the bad aspects of it; and the Bill deals with a matter which affects the people of the State very seriously. I therefore oppose the introduction of the Bill.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): I would also strongly oppose the motion for the introduction of this Bill. At the outset I may say that I am at one with my friends on this side of the House who opposed the motion. To me it seems that the subject-matter of this Bill violates the first principles of law. It is one of the important canons of law that every right has a corresponding duty. But in this matter, what we are called upon to do is to invest certain authorities with certain powers; and these authorities as we have already heard from the members who have spoken against the Bill—have no corresponding duty. Mr. Kesava Pillai pertinently remarked in the course of his speech that not even a single cash out of the Sreepadam revenue is being spent for the benefit of the public. In view of that circumstance and in so far as even the Government do not say that they have any effective control over these Sreepadam Officers, it is dangerous to invest the Sreepadam Officers with such powers. I may be permitted to observe in this connection that there is a lot of complaint even now against the enforcement of the provisions of this Revenue Recovery Regulation and the Rules thereunder. The Rules themselves are very rigorous, and they are more rigorously applied. It is therefore not at all desirable to extend the operation of these Rules any further, particularly to authorities over whom the Government have not got any control. For these reasons, I strongly oppose the motion for the introduction of this Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, in considering the principle of the Bill, I think certain points have to be clearly borne in mind to decide what exactly is the point to be judged by the House. That the revenue due to the Sreepadam Palace is 'public revenue' has been settled by the Regulation itself in the definition of 'public revenue' contained in it. That question is not now before the House. That provision *is* there, already in the Regulation. It must also be conceded that Sreepadam Revenue also, being public revenue under the Regulation, may be collected by the officers of Government by resorting to the processes provided for in the Regulation. What is now proposed by me in this Amendment Bill is that the powers of recovery under this Regulation may be conferred on persons who, though not officers of Government, are yet responsible for the collection of the Sreepadam revenue which, as already explained, is 'public revenue' under this Regulation.

MR. R. RAMAN PILLAI (*Kottayam*) : അവരുടെ പ്രവൃത്തികൾ പരിശോധിക്കുന്നതിനു ഗവണ്മെൻറിനധികാരമുണ്ടോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : അതിനെപ്പറയുവാൻ പോവുകയാണ്.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) ; May I bring to the notice of the President the time now?

PRESIDENT : I see it. We are nearing the close. After the Law Member's reply votes can be taken.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : If it is going to be only the reply by the Law Member, then it does not matter at all. But, it is because there is the voting that I am now anxious about the time. It is getting late, and the members on this side of the House have, one by one, left the Hall.

PRESIDENT : Is there a fixed time-limit for each day's sitting, that it shall stop precisely at five o'clock. No. It is better that we finish this Bill. We have only one day, in this sitting of the Council, for official business.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Now, Sir, the main objection raised to this Bill seems to be that it would be dangerous to invest the Sreepadam Officers with the powers of the Dewan Peishkar, or of the Tahsildar or of the Proverthikar since they are not subject to Government control. I submit, Sir, that, apart from the question of the soundness or otherwise of this argument in regard to the present question, and assuming that this argument would apply to the present question, I submit that there *is* control over the Sreepadam Officers for all the purposes of this Regulation. Sir, control may be either over the person concerned or over the exercise by him of the powers concerned. In regard to the exercise of the powers, there *is* control because an appeal lies to the Dewan Peishkar and then to the Dewan. And, in regard to the control over the person concerned, the maximum control conceivable is the power to dismiss him; and, in the case of the Sreepadam Officers, Government *have* the right to withdraw the powers from the abusing or misusing Officer, which would mean that for the purpose of this Regulation, and for all practical purposes, dismissing him from the office of power under this enactment. Government have got the power to withdraw the powers. After such withdrawal the officer ceases to exist as such, for all practical purposes. Government, therefore, can inflict on the offender the maximum punishment possible; they can exercise the maximum control over these officers.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : Will that remedy mitigate the grievances of the people whose properties have been wrongfully attached or sold by these officers, this withdrawal of the powers?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I have to answer that question by putting another question to Mr. Kesava Pillai himself. Suppose a Government Officer, completely under the control of Government, wrongfully attaches and sells the property of a person; and the Government severely punish say, even dismiss that officer: how will that mitigate or redress the grievances of the person who has suffered by the wrongful attachment? The argument here, against the Sreepadam Officers being given the powers of the Revenue Officers, was that they (the Sreepadam Officers) are not subject to the control of Government. I submit that only two ways of control are conceivable, one over their functions and the other over their persons. In the present instance, there is control over their functions since appeal lies to the Dewan Peishkar and then to the Dewan.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): For the purpose of his argument, my friend Mr. Paramesvaran Pillai now says that an appeal would lie to the Dewan Peishkar and then to the Dewan. The enactment now under consideration provides the officers of the local bodies being given the powers of the Dewan Peishkar or of the Tahsildar or of the Proverthikar. May I take it, from the argument now advanced by my friend, that it is a distinct assurance that he now gives on behalf of Government that the officers of these local bodies would never be invested with the powers of the Dewan Peishkar, so that an appeal would always lie to the Dewan Peishkar in the first instance and then to the Land Revenue Commissioner and then to the Dewan? If he is not prepared to give that assurance, there is not much weight in his advancing it as an argument that an appeal would always lie to the Dewan Peishkar.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Under the proposed measure the powers of the Dewan Peishkar or of the Tahsildar or of the Proverthikar may be conferred on the officers of these local bodies.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know from the learned Law Member whether there is anything in the enactment to prohibit the officers of the Sreepadam Palace being invested with the powers of a Dewan Peishkar?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): So, from the decision of the Dewan Peishkar, to what other officer would an appeal lie?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): To the Land Revenue Commissioner in the first instance, I believe, and then to the Dewan.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Does an appeal lie from the decision of the Dewan Peishkar?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I think so, perhaps a revision. However, that is a matter of detail which may be considered by a Select Committee.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : May I know from the learned Law Member the particular Section which gives the right of appeal from the decision of the Dewan Peishkar ?

MR. R. RAMAN PILLAI (*Kottayam*): അതിലേക്ക വേണ്ട പ്രൊവിഷൻ ഉണ്ടാക്കിയാൽ മതി.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : That is a matter of detail which may be considered by a Select Committee.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : May I know whether there is any provision in the existing Regulation with regard to that ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : There *is* provision for appeal.

MR. A. THANU PILLAI (*Trivandrum*) : Is it not possible, under the proposed enactment, that the Sreepadam Officers could be given the powers of the Proverthikar, of the Tahsildar and of the Peishkar also ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : It *is* possible.

MR. A. THANU PILLAI (*Trivandrum*) : How will an appeal lie from the decision of the Dewan Peishkar ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : There *is* an appeal to the Dewan.

MR. A. THANU PILLAI (*Trivandrum*) : Only revision, no appeal.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If that is the point, that can be considered by a Select Committee.

MR. A. G. MENON (*Parur*) : Have the Government got any right to look into the accounts of the Sreepadam Palace ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): How does the question of accounts arise now ? The Sreepadam revenue has been declared to be 'public revenue'.

MR. A. G. MENON (*Parur*) : *You* say so ; *You* call it public revenue that is all.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : No, not I alone ; the *Regulation* says so.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : If the present Amendment Bill is carried, will an appeal lie from the decision of the Dewan Peishkar ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : As I have already stated if that is the only point—I believe there *is* an appeal or revision that may be considered by the Select Committee. But what I submit for the consideration of the House is that the Government *do* have control over these Sreepadam Officers also, all manner of control for all purposes of this Regulation.

MR. A. THANU PILLAI (*Trivandrum*) : May I know whether the Sreepadam Palace would be prepared to act according to the

Service Regulation and other Government Rules in regard to the recruitment, leave, punishment and such other matters relating to their officers? They want, for their officers, the powers of the officers of Government, are they prepared to have the same standard as the Government have for the recruitment of *their* Officers?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am not prepared to give any assurance on that point.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether the Sreepadam revenue is to be treated hereafter as public revenue?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It is even now public revenue for the purpose of this Regulation.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): That is for the purpose of collection alone; I want to know whether it could hereafter be treated as public revenue for *all* purposes?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is a hypothetical question which I shall answer when the circumstances to which the answer is to be applied are placed before me.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Even under the Municipal Regulation, there is no appeal or revision from the decision of the Dewan Peishkar.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): There *is* an appeal under the Municipal Regulation. That, at any rate, is my impression. Perhaps, I may be wrong,

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I remind the learned Law Member that, unless notice is given as prescribed in the Schedule attached to the Municipal Regulation, and it is treated as public revenue in conformity with the provisions of the Municipal Regulation, no appeal would lie from the decision of the Municipal President?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I was only suggesting that an appeal may lie under the Municipal Reguation also.

In regard to the control over the Sreepadam Officers, as the provision stands at present, it seems there may not be any appeal proper over the decisions or acts of such of them as happen to be invested with the powers of the *Dewan Peishkar*. But, if that is the only complaint, I think that it may be considered by a Select Committee.

MR. A. THANU PILLAI (*Trivandrum*): Does not the Law Member see that there may be certain mis-deeds by these Officers which cannot be properly remedied by means of an appeal alone?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That applies to the Officers of Government also. We are not now on that point.

As I have been submitting, Sir, the only objection to this measure seems to be that the Sreepadam Officers are not under the control of Gevernment. I submit, the Government *do* have control over these Officers to the extent that is necessary.

MR. A. THANU PILLAI (*Trivandrum*): Can the Government dismiss the Sreepadam Officers?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The Government can *virtually* dismiss them by withdrawing the powers conferred on them. The Officers would then cease to function under this Regulation.

MR. A. THANU PILLAI (*Trivandrum*): Government may withdraw his powers; but the Sreepadam authorities may increase his salary. The Government have no control over that. The so-called control that the Law Member speaks of will not have any effect on the Officer concerned.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Government may never more confer the powers on such an officer.

MR. A. THANU PILLAI (*Trivandrum*): But, he may still have employment under the Sreepadam Palace.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): We are not now considering the question of punishing or taking disciplinary action against the Sreepadam Palace Officers, *generally*. The question now is whether the *Government* have any control over them *when they function under this Regulation*; and, I submit that the Government *do* have control, firstly, over their functions since there is appeal or revision over their acts and decisions, and secondly over their persons because the Government can deprive the abusers or misusers, of the powers conferred on them under this Regulation. I therefore submit, Sir, that the objection to the proposed measure does not seem to be substantial. The *principle* of the Bill may therefore be accepted; and, if, any detail has to be worked out, that may be done in the Select Committee.

The question that the principle of the Bill may be accepted by the House was then put to vote and carried.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): I demand a poll.

MR. A. THANU PILLAI (*Trivandrum*): I demand a poll.

A poll was taken and the House divided as follows:—

AYES—22.

1. Mr. L. A. Bishop.
2. „ I. C. Chacko.
3. „ R. Dhanukoti Pillai.
4. „ K. George.
5. „ P. Gomatinayakam Pillai.
6. „ P. N. Krishna Pillai.
7. Rao Sahib Dr. N. Kunjan Pillai.
8. Mr. T. K. Madhavan Nayar.
9. „ E. G. McAlpine.
10. „ R. Nilakanta Pillai.
11. „ Kayalam Paramesvaran Pillai.
12. Dr. K. Raman Tampi.
13. Mr. S. C. H. Robinson.
14. „ R. Vaidyalingom Pillai.
15. „ J. S. Westerdale.
16. „ D. Francis.
17. „ D. C. Joseph.
18. Rao Bahadur K. A. Krishna Aiyangar.
19. Mr. V. S. Krishna Pillai.
20. „ P. S. Mahomed.
21. „ S. Piraviperumal Pillai.
22. „ Revati Nal Rama Varma Raja.

NOES—19.

1. Mr. A. S. Damodaran Asan.
2. Mrs. Elizabeth Kuruvila.
3. Mr. A. G. Menon.
4. ,, Ittoop Itteechan.
5. ,, R. Kesava Pillai.
6. ,, T. C. Kesava Pillai.
7. ,, N. K. Krishna Pillai.
8. ,, A. C. Kuriakose.
9. ,, K. Madhavan Pillai.
10. ,, H. B. Mahomed Rowther.
11. Mr. Matthew Murikkan.
12. ,, G. P. Nilakanta Pillai.
13. ,, K. P. Nilakanta Pillai.
14. ,, Muruvelil Pachu Pillai.
15. ,, K. Padmanabha Panikkar.
16. ,, K. G. Paramesvaran Pillai.
17. ,, L. R. Raja Raja Varma Koil Tampuran.
18. ,, R. Raman Pillai.
19. ,, A. Thanu Pillai.

NEUTRALS—4.

1. Mr. V. Chellam Pillai.
2. ,, K. C. Karunakaran.
3. Mr. K. N. Kesavan Namputiripad.
4. ,, Tamarapallil Kochu Tomman.

The motion accepting the general principle of the Bill was carried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : At first, Sir, I did not think that this Bill would have to go to a Select Committee ; but having regard to the points that have been raised here today, I move that the Bill may be referred to a Select Committee, consisting of the following members, to report within *three* months :

1. Rao Bahadur K. A. Krishna Aiyangar,
2. Mr. A. Thanu Pillai,
3. ,, K. P. Nilakanta Pillai,
4. ,, A. S. Damodaran Asan,
5. ,, S. Piraviperumal Pillai,
6. ,, Matthew Murikkan,
7. ,, S. C. H. Robinson,
8. ,, K. George,
9. ,, P. N. Krishna Pillai, and
10. myself (Mr. Kayalam Paramesvaran Pillai.)

PRESIDENT : You would be the Convener, Mr. Paramesvaran Pillai, and the Deputy President would be the Chairman of the Committee.

The Council adjourned at 5-20 P. M.

P. N. KRISHNA PILLAI,
Secretary to the Legislative Council.

TRAVANCORE LEGISLATIVE COUNCIL.

THIRD COUNCIL.

FIRST SESSION OF 1106.

(*OFFICIAL REPORT.*)

Wednesday, the 17th December 1930/2nd Dhanu 1106.

The Council met in the Victoria Jubilee Town Hall at Eleven-thirty of the Clock, the President presiding.

The following members were absent:—

Mr. L. A. Lampard,

Mr. K. Madhavan, and

Mr. S. Piraviperumal Pillai.

QUESTIONS AND ANSWERS.

Particulars re granthams collected and published by the Curator.

14. **MR. A. C. KURIAKOSE** (*Minachil* cum *Devicolam*): Will the Government be pleased to lay on the table a statement showing the names of those rare *granthams* collected and published by the Curator's Department, of those given away for publication outside the State and of those ready for publication?

MR. K. GEORGE (*Chief Secretary to Government*): Lists of Sanskrit Manuscripts collected and published by the Department and a list of Malayalam Manuscripts published so far, are available in the Council Secretary's Office for reference. The lists are too voluminous to be placed on the table. For the list of Malayalam Manuscripts collected by the Curator, the member is referred to the answer to interpellation No. 152 (*b*) asked at the meeting of the Legislative Council held on the 25th January 1930 (vide page 398 of the Council Proceedings, Vol. XVI, No. 5). Lists of the Malayalam Manuscripts collected subsequently and of the Sanskrit and Malayalam works ready for publication are laid on the table.* No *grantham* collected by the Department has been given to any outside agency for publication.

Bridge at Kadanad.

15. **MR. A. C. KURIAKOSE** (*Minachil* cum *Devicolam*): Will the Government be pleased to state:

(*a*) whether a sum of Rs. 4,700 has not been sanctioned by them in 1104 towards the construction of a bridge at Kadanad on the Kadanad-Pizhaku road;

* *Vide* Appendix III pages 105 to 108.

G. P. T. 1478—300—2-8-1106. B

[Mr. A. C. Kuriakose.]

(*b*) if the answer to part (*a*) is in the affirmative, the reason for not starting the work till now (2-1-1930); and

(*c*) the reason why the work has not been taken up even though the people have been clamouring for the said bridge for two decades and an amount has been sanctioned for the purpose?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) An estimate for Rs. 4,700 was sanctioned in 1104.

(*b*) Because funds have not been provided in the Budget.

(*c*) Want of funds.

Grant of allowance to officers deputed on special duty in connection with the outbreak of cholera in South Travancore.

16. **MR. A. C. KURIAKOSE** (*Minachil* cum *Devicolam*): Will the Government be pleased to state:

(*a*) whether they consider that the work done by the Sanitary Officers deputed on special duty in connection with the outbreak of cholera in South Travancore last year (1104) was satisfactory;

(*b*) if their work was satisfactory, whether they have been granted any special allowance for that;

(*c*) whether the officers in the Medical Department have been granted any duty allowance in connection with this;

(*d*) if so, what amount has been spent towards that purpose alone;

(*e*) whether the travelling allowance due to the Sanitary Officers for the period during which they were on special duty has been paid up;

(*f*) if not, the reasons for the delay;

(*g*) whether it is a fact that the allowance due to the Medical Officers on this account has been paid up; and

(*h*) if so, what time has elapsed since such payment?

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): (*a*) Yes.

(*b*) No special allowance has been granted, as cholera work is one of the legitimate duties of the officers of the Sanitary Department.

(*c*) No.

(*d*) In view of the answer to part (*c*), this does not arise.

(*e*) Yes.

(*f*) In view of the answer to part (*e*), this does not arise.

(*g*) The allowance which the medical officers are entitled to, while on cholera duty, has been paid.

(*h*) The claims due for a certain month have been paid in the succeeding month.

Construction of a bridge across the Palai river.

17. **MR. A. C. KURIAKOSE** (*Minachil* cum *Devicolam*): With reference to the answer to part (*e*) of question No. 2, asked at the meeting

of the Council held on the 8th Makaram, 1105 (page 2, Vol. XVI of the Council Proceedings), will the Government be pleased to state:

(*a*) whether a plan has been prepared, as ordered, for constructing a suitable bridge across the Palai river in the place of the original one which was under construction and which got damaged;

(*b*) if the answer to part (*a*) is in the negative, when it will be ready;

(*c*) how long it would take for starting the construction of the said bridge;

(*d*) the cost of the bridge as per the estimate;

(*e*) whether the damaged bridge has been dismantled;

(*f*) if the answer to part (*e*) is in the affirmative, the amount spent for the purpose;

(*g*) what has been done with the materials of the dismantled bridge;

(*h*) whether the bridges at Kalatturkadavu and Erattupetta prayed for in the Minachil taluk itself cannot be completed by utilising such materials;

(*i*) if not, the reason for the same; and

(*j*) whether they have made any provision for constructing bridges in the localities referred to in part (*h*) above?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*):
(*a*) No.

(*b*), (*c*) and (*d*) Investigation for a high level bridge has been ordered to be conducted. The plan and estimate can be prepared only after the investigation has been completed.

(*e*) Yes.

(*f*) The full amount has not been booked.

(*g*) They have been partly used for other works.

(*h*) and (*i*) These do not arise in view of answer to part (*g*).

(*j*) No.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): കടനാട്ടുപാലത്തിന് ൧൧൦൪-ാമാണ്ടു ൪,൧൦൦ രൂപക്ക് എസ്റ്റിമേറ്റ് അനുവദിച്ച് ഇതുവരെയായിട്ടും ബഡ്ജററിൽ ചേർക്കാതെ ഇരിക്കുന്നതിനു പണം ഇല്ലാത്തതാണ് കാരണം എന്നു സമാധാനം പറഞ്ഞു. ഈ പാലത്തെ സംബന്ധിച്ചുള്ള വേലയ്ക്കു പണം ഇല്ലാ എന്നോ, അതല്ല ഈ ഡിപ്പാർട്ടുമെൻറിൽ തന്നെ പണം ഇല്ലാ എന്നോ, എന്താണ് ഇതിൽനിന്നും മനസ്സിലാക്കേണ്ടതു്?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): ഈ പാലത്തെ സംബന്ധിച്ചുള്ള വേലകൾക്കു പണം ഇല്ലാ എന്നറിഞ്ഞു.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): മീനച്ചൽതാലൂക്കിലേക്കു ധാരാളം പണം നീക്കിവച്ചതുകൊണ്ടാണോ ഈ വേലകൾക്ക് പണം ഇല്ലാതെപോയതു്?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): അങ്ങനെ താലൂക്കായിട്ടു നോക്കുക പതിവില്ല.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): മീനച്ചൽതാലൂക്കിലേക്കു ൧൦൪, ൧൦൫, ഈ വർഷങ്ങളിൽ പൊതുമരാമത്തു വേലകൾക്കു് അനുവദിച്ചിട്ടുള്ള പണം ഇത്രയാണെന്നു പറയാൻ കഴിയുമൊ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): നോക്കിയാലെ പറയാൻ നിവൃത്തിയുള്ളു.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ഈ പാലത്തെ സംബന്ധിച്ചു ജനപ്രതിനിധികൾ വഴക്കുകളുടങ്ങിയിട്ടു് ഇരുപതുകൊല്ലത്തോളം ആയി എന്നറിയാമൊ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): കുറെ റെപ്രസെന്റേഷൻ എല്ലാം വന്നിട്ടുണ്ടു്.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ഈ പണി നടത്താൻ കഴിയുന്നതുംവേഗത്തിൽ ഗവൺമെന്റിൽനിന്നും നടപടിനടത്തുമെന്നു വിശ്വസിക്കാമൊ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): അതിനെപ്പറ്റി ആലോചിക്കാം.

Tax on trees tapped for toddy.

18. **MR. A. C. KURIAKOSE** (*Minachil* cum *Devicolam*): Will the Government be pleased to state:

(*a*) the tariff rate of tree tax fixed by them on toddy-producing trees;

(*b*) whether any provision has been made fixing the amount of rent to be paid to the owners of the taxed trees;

(*c*) how the contractors obtain at present (12-7-1930) the privilege of keeping trees in their possession and of producing toddy;

(*d*) whether it is the practice to verify the Survey Numbers of the lands mentioned in the applications for the marking of trees with those in the *pattas* standing in the names of the applicants who have signed the applications as owners of such lands;

(*e*) if not, what provision has been made at present to ascertain whether the signatory to an application is the real owner of the land mentioned therein; and

(*f*) whether any applications are being received wherein the free consent of the owners referred to therein has not been expressed?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) The prevailing rates of tree tax are as follows:—

	Rs.	as.	ps.	
Cocoanut tree	8	0	0	per annum.
Palmyra tree	4	0	0	do.
Choondapana	16	0	0	do.

(b) No.

(c) The contractors make their own arrangements with the owners of trees to secure them for tapping. The trees are tapped and toddy drawn therefrom only after they are licensed and marked.

(d) No.

(e) The signatures given in the applications are presumed to be genuine ones. In cases of disputes or withdrawal of consent, the departmental officers refuse to mark trees.

(f) No such applications are received.

Investigation about the condition of labourers.

19. **MR. P. S. MAHOMED** (*Nominated*): (1) Will the Government be pleased to state whether they have ever made an investigation about the labour classes in Travancore on the following points:—

(a) whether the relationship of the labourers and their masters is strained or cordial;

(b) whether the labourers get sufficient remuneration for the work done by them;

(c) whether the economic and sanitary conditions of the labourers are sound and satisfactory;

(d) whether they get proper education and medical aid;

(e) the condition of women labourers and their children; and

(f) whether any special provisions and conveniences are provided in factories and other places of working for women and their children?

(2) If any investigation has been made, will they be pleased to lay on the table a statement showing the results of the investigation so made?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*):

(1) The answer is in the negative.

(2) In view of answer to part (1), the question does not arise.

Undergraduate teachers in the Education Department.

20. **MR. REVATI NAL RAMA VARMA RAJA** (*Edavagai*): With reference to the answer to question No. 280, asked at the meeting of the Council held on the 15th May 1930 (page 578 of Vol. XVI of the Legislative Council Proceedings), that there is one trained intermediate teacher on Rs. 50-5/2-80, will the Government be pleased to state:

(a) the reason why one person alone was given the scale; and

(b) the reason why, among the F. A. trained, one person was given the scale of Rs. 75-5-100?

MR. K. GEORGE (*Chief Secretary to Government*): (a) Because the teacher is a woman.

(b) Because the teacher is a woman and had a long service of about 23 years.

Tamil Pandit in H. H. the Maha Rajah's College for Women.

21. **MR. V. CHELLAM PILLAI** (*Tovala*): Will the Government be pleased to state:

(*a*) whether the present acting Tamil Pandit in H. H. the Maha Rajah's College for Women has been ordered to pass any examination in Tamil;

(*b*) if the answer to part (*a*) is in the affirmative, what examination and within what time; and

(*c*) if the answer to part (*a*) is in the negative, the grounds on which the University has granted exemption to the present Ag. Tamil Pandit in H. H. the Maha Rajah's College for Women?

MR. K. GEORGE (*Chief Secretary to Government*); (*a*) The present Tamil Pandit in His Highness the Maha Rajah's College for Women is not acting. She has not been ordered to pass any examination in Tamil.

(*b*) In view of answer to part (*a*), this does not arise.

(*c*) The University did not grant any exemption in favour of the Tamil Pandit, but accepted her appointment on her qualification.

Road from Muvattupuzha-Thattakad Road to Peruvinnur.

22. **MR. TARIATU KUNJITOMMAN** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to state:

(*a*) whether provision had not been made in the Budget for 1105 for opening a road from the Muvattupuzha-Thattakkad Road to Peruvinnur *via* Nattukani;

(*b*) the amount spent out of the same;

(*c*) whether any work has been done in connection with it till the 20th Kanni 1106; and

(*d*) whether the Chief Engineer inspected this road in 1927 and noted in his circuit diary that it should be completed immediately?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*):

(*a*) Yes.

(*b*) No amount was spent.

(*c*) No.

(*d*) The answer to the first part of the question is in the affirmative and to the second part in the negative.

Construction of a bridge across the Kaliyar.

23. **MR. TARIATU KUNJITOMMAN** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to state:

(*a*) whether an allotment was not made in the Budget for 1105 for starting the work of the construction of a bridge across the Kaliyar on the Vazhakulam-Kotamangalam road;

(*b*) the amount spent out of the same; and

(*c*) whether any materials have been collected or any work done in respect of this bridge, till the 20th of Kanni 1106?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : (*a*) Yes ; provision was made for the work in the Budget for 1105.

(*b*) No money was spent.

(*c*) The answer is in the negative.

Statement, by caste, of appointments made by the Administrative Board, Medical Services.

24. **MR. TARIATU KUNJITOMMAN** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to lay on the table :

(*a*) a statement, by caste, of the permanent and acting appointments for a period of not less than six months, carrying a pay of Rs. 25 and over made in the Medical Department, since the establishment of the Administrative Board, Medical Services, till the 20th of Kanni 1106 ; and

(*b*) a statement, by caste, of the officers drawing a pay of Rs. 25 and over in the Medical Department ?

MR. P. N. KRISHNA PILLAI (*Secretary to Government*) : (*a*) and (*b*) Statements* containing the information required by the member are laid on the table.

Statement of appointments in the Department of Agriculture and Fisheries.

25. **MR. TARIATU KUNJITOMMAN** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to lay on the table :

(*a*) a statement, by caste, of the permanent and temporary appointments for a period of not less than six months, carrying a pay of Rs. 25 and over made during the three years ending the 20th Kanni 1106 in the Department of Agriculture and Fisheries ; and

(*b*) a statement, by caste, of the officers drawing a pay of Rs. 25 and over in the Department of Agriculture and Fisheries ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : (*a*) and (*b*) The statements† are laid on the table.

Statement, by caste, of appointments made in the Census Department.

26. **MR. TARIATU KUNJITOMMAN** (*Muvattupuzha* cum *Todupuzha*) : Will the Government be pleased to lay on the table a statement, by caste, of officers newly appointed to posts carrying a pay of Rs. 20 and over in the Census Department till the 20th Kanni 1106 ?

MR. K. GEORGE (*Chief Secretary to Government*) : The statement required by the member is given below.

Name of caste.		*No. of appointments filled up.*
1. Brahmin	...	1
2. Nayars	...	2
3. Nadar	...	1
4. L. M. S. Protestant Christian		1
Total	..	5

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* *Vide* Appendix IV pages 109—111.

† *Vide* Appendix V A and V B —pages 112 and 11[illegible]

The Royal Trees Committee.

27. **MR. TARIATU KUNJITOMMAN** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to state:

(*a*) whether they have done anything in accordance with the majority proposals or the minority proposals, if any, of the Royal Trees Committee; and

(*b*) if the answer to part (*a*) is in the negative, whether they propose to do anything immediately?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*):

(*a*) and (*b*) The Report of the Royalty Committee is engaging the attention of Government.

Statement, by caste, of appointments in the Anchal Department.

28. **MR. D. C. JOSEPH** (*Agastisvaram*): Will the Government be pleased to lay on the table a statement, by caste, of all the appointments made by the Anchal Superintendent during the years 1104, 1105 and 1106 (till 25-3-1106)?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The statement* is laid on the table.

Statement, by caste, of appointments made by the Conservator of Forests.

29. **MR. D. C. JOSEPH** (*Agastisvaram*): Will the Government be pleased to lay on the table a statement, by caste, of the appointments made by the Conservator of Forests during the years 1104, 1105 and 1106 (till 25-3-1106)?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The statement‡ is placed on the table.

Disafforestation and assignment of Anakulam Reserve.

30. **MR. REVATI NAL RAMA VARMA RAJA** (*Edavagai*): Will the Government be pleased to state:

(*a*) whether they have disafforested from the Anakulam Reserve, in Yenatimangalam pakuti, Kunnattur taluk, a portion (42 acres, comprised in S. No. 901/1) called Thattamannu;

(*b*) whether that land has been registered in anybody's name;

(*c*) if the answer to part (*b*) is in the negative, whether they have auctioned the same;

(*d*) whether they have received any petition that that land has been occupied; and

(*e*) if the answer to part (*d*) is in the affirmative, what action they have taken against the unauthorised occupation?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*):

(*a*) No; the area in question, though sanctioned to be disafforested, has not yet been finally disafforested by a Notification under

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* *Vide* Appendix VI—page 114. ‡ *Vide* Appendix VII—page 115.

Section 20 of the Forest Regulation. It has already been demarcated and surveyed.

(b) The answer is in the negative.

(c) No.

(d) Yes; a petition was received alleging that one Mr. Gopalan Unnithan had unlawfully encroached into the Anakulam Reserve and cultivated the said swampy area.

(e) A forest case was taken up against the individual for the unauthorised entry and cultivation, and pending its disposal by the Magistrate at Kottarakara, the crop illegally raised on the land has been attached departmentally under an order from the court.

Report of the Law College University Commission.

31. **MR. D. C. JOSEPH** (*Agastisvaram*): Will the Government be pleased to lay on the table:

(a) a copy of the report (with enclosures) of the University Commission which inspected the Trivandrum Law College; and

(b) the orders of the Government thereon?

MR. K. GEORGE (*Chief Secretary to Government*): (a) The member is referred to the answer given to interpellation No. 109 (b), asked at the meeting of the Legislative Council held on the 7th August 1929, and published at page 249 of Vol. XV of the Council Proceedings, that, as the report is a confidential document, it cannot be placed on the table.

(b) The orders passed by Government are (1) that the Law College be converted into a full-time institution with effect from the beginning of the academic year 1931-32, (ii) that the establishment of a College Council is not necessary and (iii) that a fair allotment of funds be made for the next three years for equipping the Library to meet the requirements of the College.

Opening of a road from Edava to Kappil Railway station.

32. **MR. K. P. NILAKANTA PILLAI** (*Chirayinkil*): Will the Government be pleased to state whether any action has been taken regarding the opening of a road from Edava to Kappil Railway station, which has been the subject of representation in the Legislative Council, and, if so, what?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes, the matter has been referred to the Road Board for consideration.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): What is the procedure that the Road Board is expected to follow when a representation made in this House is forwarded to it?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): All matters in connection with the opening of roads or other communications, are generally forwarded to the Road Board and their opinion obtained as to whether the road is necessary or useful.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether the right of finally deciding as to the necessity for the road pressed for in this House, is vested with the Road Board?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): No, only the opinion of the Road Board is obtained. Government will consider it, sanction it, and make provision for it in the Budget. The Road Board is only a recommending Board.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): In view of the fact that there are two branches of the Road Board, viz., the Central Board and the District Board, may I know to which of these two Boards, the representations made here are forwarded?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The matter now in question has been placed before the Central Board.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether the Central Board is in a position to act upon the representations independent of the District Board?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The Central Board will record its opinion and perhaps get the opinion of the District Board also if necessary.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether it is open to a member to address the District Board or the Central Board direct, otherwise than through the Council?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I claim notice.

Trace from Njekkad to Nadayara.

33. **MR. K. P. NILAKANTA PILLAI** (*Chirayinkil*): Will the Government be pleased to state whether any action has been taken towards the conversion of the trace running from Njekkad to Nadayara in the Chirayinkil taluk, and, if so, what?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Administrative sanction has been accorded for the work and there is provision for it in the Budget for 1106. The work will be taken up soon.

Local allowance to the Secretary to the Legislative Council.

34. **MR. ITTOOP ITTEECHAN** (*Kunnatnad*): Will the Government be pleased to state:

(*a*) whether the Secretary to the Legislative Council had been given, besides his pay, any amount as local allowance till the 30th Karkatakam 1105;

(*b*) if so, whether the present Secretary is given the allowance;

(*c*) if not, the reason for discontinuing the same;

(*d*) the amount now given to the Secretary to the Legislative Council, over and above the pay he was receiving in 1104; and

(*e*) whether he has more work now than before?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*), (*b*) and (*c*) Yes. The Secretary to the Legislative Council was given a local allowance of Rs. 50 per mensem till the end of 1105. The local allowance was abolished with effect from the 3rd Chingom 1106, as the scale of pay of the Secretaries was raised from that date to Rs. 400-50-600 and he has been given the assistance of an Assistant Secretary.

(*d*) Nil.

(*e*) Yes.

Appendix III.

Vide Answer to Question No. 14.

List of Works ready for publication in the Malayalam Curator's Department.

No.	*Names of Works.*	*Remarks.*
1.	Narayaniyam with the commentary Lakshmivilasom.	This work is now passing through the Press.
2.	Kannassabhagavatam	Do.
3.	Keralacharitram	Do.
4.	Balasankaram Part III	Do.
5.	Astangahrdayam with Hrdayabodhika	Do.
6.	Hrdayapriyam	Do.
7.	Yogamrtam	Do.

List of Manuscripts prepared and made ready for the Press by the Malayalam Curator's Department.

No.	*Names of Manuscripts.*
1.	Prahladacharitam.
2.	Palazhimathanam.
3.	Paramarthasaram.
4.	Tantrasamucchayam with Bhasavyakhyanam.
5.	Bharatamala.
6.	Valavisupuranam.
7.	Palavakabhasakrtikal.
8.	Bharatavakyam.
9.	Harivamsam Pattu.
10.	Dutavakyam Attakkatah.
11.	Palavaka Ottaslokangal.
12.	Citraguptolppatti Kilippattu.

List of works ready for Publication in the Sanskrit Curator's Office.

No.	*Names of works.*	*Remarks.*
1.	Balamartandavijaya	These have been printed and the preface and other subsidiary papers are being made ready.
2.	Kavyaratna.	
3.	Prakriyasarvasva, with Praksika, part I.	This has been almost printed.
4.	Rksamhita with the Bhashya of Skandaswami and the commentary of Vekatamadhava Part II.	This is now passing through the Press.
5.	Aryabhatiya with Bhasya Part II.	Do.

No.	NAMES OF WORKS.
6.	Haramekhala.
7.	Nyayasarapadapanchika.
8.	Vaiknanasagama by Marici.
9.	Sangitakrtis by H. H. Svati Tirunal.
10.	Sangramavijayodaya.
11.	Sarasvatikanthabharana with Vritti.
12.	Asvalayanagrhyamantravyakhya.
13.	Prakirnakaprakasa.

List of Malayalam Manuscripts collected after the 6th August 1929.

൧. ബ്രഹ്മപുത്രദശമുഖലേഖനങ്ങൾ
൨. പഴയപാട്ട്
൩. നാനാർത്ഥവിവരണം
൪. കണക്കപാട്ട്
൫. ക്ഷുദ്രപ്രയോഗാദി
൬. ജാതകലേഖനക്രമം
൭. ജ്യോതിഷം ഫലശാസ്ത്രം
൮. പഞ്ചബോധം ഭാഷ
൯. ലാടവൈദ്യതം ഭാഷ
൧൦. ഗണിതം
൧൧. മുഹൂർത്തദർശനവ്യാഖ്യാ
൧൨. അഷ്ടമങ്ഗലപ്രശ്നം
൧൩. കണക്കപാട്ട്
൧൪. ഭദ്രദീപം
൧൫. ദാരുകനിഗ്രഹം കിളിപ്പാട്ട്
൧൬. ജ്യോതിഷം ഗണിതം പലവക
൧൭. കാളിയമർദ്ദനം (തിരുവാതിരപ്പാട്ട്)
൧൮. നീതിശാസ്ത്രം
൧൯. ഗുണദോഷവാക്യം
൨൦. സുഭദ്രാഹരണാദി
൨൧. ഭദ്രായുശ്ചരിതം
൨൨. കൂടൽമാണിക്യകീർത്തനാദി
൨൩. കിരാതം എട്ടുവൃത്തം
൨൪. കൃഷ്ണാർജ്ജുനസംവാദം കിളിപ്പാട്ട്
൨൫. തന്ത്രസമുച്ചയവ്യാഖ്യാ
൨൬. വിവാഹാനുകൂല്യം
൨൭. ഭദ്രദീപഗണിതം
൨൮. ദൈവാനുകൂല്യം
൨൯. ബാധാനിരൂപണവിഷയം
൩൦. ആശ്ലേടീയവ്യാഖ്യാ
൩൧. കരണപദ്ധതിവ്യാഖ്യാ
൩൨. വൈദ്യം

൩൩. സ്മൃതിചന്ദ്രികാ
൩൪. അമരകോശവ്യാഖ്യാ
൩൫. ലക്ഷണശാസ്ത്രം
൩൬. ഗണിതം
൩൭. ഹോരാവ്യാഖ്യാ
൩൮. സാക്ഷ്യസാക്ഷിവിവേകം
൩൯. വേദാന്തരത്നം
൪൦. ജ്യോതിഷഫലം
൪൧. ഗണിതന്ത്രൽ
൪൨. വിജ്ഞാനഗീത
൪൩. പഞ്ചബോധം
൪൪. ഗണിതസാരം
൪൫. കീർത്തനങ്ങൾ
൪൬. ഭാഷാപദ്യങ്ങൾ
൪൭. വിഷവൈദ്യം
൪൮. അയോദ്ധ്യാപുരവർണ്ണനം
൪൯. പ്രബന്ധങ്ങൾ
൫൦. തിരുച്ചിററമ്പലക്കോവ
൫൧. മർമ്മവിവരം
൫൨. മർമ്മവിവരം
൫൩. ചികിത്സാമഞ്ജരി
൫൪. കൃഷ്ണാർജ്ജുന സംവാദം കിളിപ്പാട്ട്
൫൫. തന്ത്രഭാഷ (ക്രിയാദീപിക)
൫൬. ഭോദശ്യാരാധന
൫൭. വാസ്തു വിദ്യ ഭാഷാവ്യാഖ്യാ
൫൮. ഭഗവദ്ഗീതാ ഭാഷാഗദ്യം
൫൯. പലവക
൬൦. കൃഷ്ണാർജ്ജുനയുദ്ധം കഥകളി
൬൧. അഷ്ടാക്ഷരമാഹാത്മ്യം കിളിപ്പാട്ട്
൬൨. വിഷമോചനം
൬൩. വൈദ്യസാമാന്യചികിത്സ
൬൪. വിഷമോചനം
൬൫. മൂഷികവിഷചികിത്സ
൬൬. വൈദ്യംകുറിപ്പടി
൬൭. ബാലചികിത്സ
൬൮. നവീകർണക്രിയ
൬൯. കരണപദ്ധതി
൭൦. ആര്യ്യഭടീയംമൂലം
൭൧. സൂര്യ്യസിദ്ധാന്തം
൭൨. ക്രിയാസങ്ഗ്രഹം
൭൩. ശിവയോഗസാരക്കട്ടിള
൭൪. ശ്രുതിഗീതാവ്യാഖ്യാ
൭൫. തന്ത്രസമുച്ചയം ഭാഷ
൭൬. നരസിംഹാവതാരം കഥകളി

൧൭. നമഃശിവായാഷ്ടകം
൧൮. രാഗദ്വേഷാത്മവിചാരം
൧൯. സുഭാഷിതപദ്യങ്ങൾ
൨൦. മാംഘസ്നാന
൨൧. വിശ്വകർമ്മീയം
൨൨. പ്രതിബിംബലക്ഷണം
൨൩. സ്മാർത്തപ്രായശ്ചിത്തവിമർശിനി
൨൪. ഭോമശ്വാരാധനാനുഷ്ഠാനം
൨൫. ലീലാവതീവ്യാഖ്യാ (കർമ്മദീപകം)
൨൬. ഉപരാഗക്രിയാക്രമവ്യാഖ്യാ
൨൭. കണക്കസാരം
൨൮. ജ്ഞാനദീപകം
൨൯. പാനപ്രബന്ധം

Appendix IV.

vide **Answer to Question No.** 24.

64. (1)—G. O. R. O. C. No. 1732/30/L. G. B., dated 27-11-1930. Statement by caste of the permanent and acting appointments for a period of not less than six months carrying a pay of Rs. 25 and over made in the Medical Department since the establishment of the Administrative Board, Medical Services, up till the 20th Kanni 1106.

Serial Number.	Names of appointments.	Hindus.											Mussalmans.	Christians.						Total under each grade of appointments.	Remarks.
															Roman Catholics.		Syrians.				
		Malayala Brahmins.	Other Brahmins.	Ezhava	Kammala	Kshatriya.	Nadar.	Pulaya.	Vellala.	Other depressed Classes.	Nayar	Other Caste Hindus		Protestants.	Latin rite.	Syriac rite.	Jacobite.	Mar Thoma.	Church of England		
1	Assistant Surgeons	..	1	1	..	..	..	..	..	..	4	..	..	2	..	..	1	2	..	11	
2	Ag. Do.	..	3	..	..	..	..	..	1	..	..	..	..	1	..	1	1	1	..	8	
3	Sub Assistant Surgeons	..	4	2	..	..	..	..	2	1	7	..	..	3	1	..	6	2	..	28	
4	Ag. Do.	..	2	1	..	..	..	..	1	1	6	..	..	2	1	..	4	..	..	18	
5	Trained Nurses	..	..	1	..	..	..	..	..	1	4	..	..	2	5	..	1	2	..	16	
6	Clerks of the Administrative Board's Office.	..	1	..	..	..	..	..	..	..	1	..	..	...	...	..	..	..	..	2	
7	Clerks and Stewards of the Department	..	..	..	..	..	..	..	..	..	3	..	..	..	..	..	..	..	..	3	
8	Ambulance Car Drivers	..	..	..	..	..	..	..	1	..	1	..	..	..	..	..	..	..	..	2	
	Total under each caste	..	11	5	..	..	..	..	5	3	26	..	..	10	7	1	13	7	..	88	

64 (2) G. O. R. O. C. No. 1732/30/L. G. B., dated 27-11-1930.

Statement by caste of the Officers drawing a pay of Rs. 25 and over in the Medical Department.

Serial Number.	Names of appointments.	Hindus.												Christians.							
															Roman Catholics.		Syrians.				
		Malayala Brahmins.	Other Brahmins.	Ezhava	Kammala.	Kshatriya.	Nadar.	Pulaya.	Vellala.	Other depressed Classes.	Nayar.	Other Caste Hindus.	Mussalmans.	Protestants.	Latin rite.	Syriac rite.	Jacobite.	Mar Thoma.	Church of England	Total under each grade of appointment.	Remarks.
1	Inspecting Medical Officer	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	1	
2	Senior Surgeon, Women's Medical Service	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	1	
3	Non-Official Member, Administrative Board, Medical Services	..		..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	1	
4	Surgeons	..	1	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	1	3	
5	Deputy Surgeons	..	2	1	..	1	..	..	..	..	2	1	..	6	1	..	1	2	..	17	
6	Assistant Surgeons	..	2	2	..	..	..	..	1	..	11	..	..	6	3		3	4	2	35	
7	Ag. Do.	..	3	..	..	..	..	..	1	..	..	..	..	1	..	1	1	1	..	8	
8	Sub Assistant Surgeons, 1st Grade	..	2	...	...	..	..	..	..	..	2	1	..	4	1	..	3	...	2	15	
9	Do., 2nd grade	..	9	5	...	..	..	..	6	1	20	..	..	5	4	1	9	4	2	66	
10	Ag. Sub Assistant Surgeons	...	2	1	...	..	..	..	1	1	6	..	..	2	1	..	4	...	..	18	
11	Apothecary	..	..	.	..	..	..	..	..	..	1	..	..	..	..	..	...	..	...	1	
12	Bacteriologist	..	..	..	...	..	..	..	..	..	1	..	..	..	..	..	..	..	..	1	

64 (2) G. O. R. O. C. No. 1732/30/L. G. B., dated 27-11-1930.—(*contd.*)

Statement, by caste, of the Officers drawing a pay of Rs. 25 and over in the Medical Department.

Serial No.	Names of appointments.	Hindus. Malayala Brahmins.	Other Brahmins.	Ezhava.	Kammala.	Kshatriya.	Nadar	Pulaya.	Vellala	Other depressed Classes.	Nayar.	Other Caste Hindus.	Mussalmans.	Christians. Protestants.	Roman Catholic. Latin rite.	Roman Catholic. Syriac rite.	Syrians. Jacobite.	Syrians. Mar-Thoma.	Church of England.	Total under each grade of appointments.	Remarks.
13	Secretary, Office of the Administrative Board, Medical Services	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	
14	Store Keeper, General Medical Stores	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	p1	
15	Compounders	..	1	4	1	..	..	..	3	4	16	1	..	12	5	1	3	6	1	69	
16	Midwives	..	..	4	..	..	..	..	..	3	4	1	..	12	7	1	2	4	2	40	
17	Trained Nurses	..	1	2	1	..	..	..	..	2	8	..	..	5	12	..	3	6	..	40	
18	Clerks of the Administrative Board Office	..	3	1	..	...	..	..	..	..	7	..	..	1	..	..	..	..	..	12	
19	Typists	..	1	..	..	...	..	..	..	..	..	..	..	..	..	..	..	..	..	1	
20	Stewards and Clerks of the Department	..	1	..	..	...	..	..	2	..	5	..	..	..	..	..	..	1	..	9	
21	Head Nurse	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	1	
22	Matron	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	1	
23	Ambulance Car Drivers	..	..	..	..	..	..	..	1	..	1	..	..	..	..	..	..	..	..	2	
	Total under each caste	..	40	20	2	1	..	..	15	11	85	4	..	56	37	5	29	29	10	344	

Appendix V A.

***Vide* Answer to Question No. 25**

Statement, by caste, of permanent and temporary appointments for a period of not less than 6 months, carrying a pay of Rs. 25 and over during the last three years ending the 20th Kanni 1106 in the Department of Agriculture and Fisheries.

I. Hindus											II. Mussalmans.	III. Christians.						IV. Others.
													Roman Catholics.					
Malayala Brahmins.	Tamil Brahmins.	Nayar.	Vellala.	Nadar.	Kshatriya (Malayalees)	Ezhava.	Kammala	Pulaya.	Other depressed classes.	Other Hindus.		Protestants.	Roman Syrian rite.	Roman Latin rite.	Jacobites.	Mar Thoma.	Christian depressed classes.	
...	4	8	...	...	..	..	2	...	..	2	..	3	1	1	1	1	...	

Appendix V B.

Vide Answer to Question No. 25

Statement, by caste, of the officers drawing a pay of Rs. 25 and over in the Department of Agriculture and Fisheries.

I. Hindus.											II. Mussalmans.	III. Christians.						IV Others.
													Romans.					
Malayala Brahmins.	Tamil Brahmins.	Nayar.	Vellala.	Nadar.	Kshatriya.	Ezhava.	Kammala.	Pulaya.	Depressed Classes.	Other Hindus.		Protestants.	Roman Syrian Rite	Roman Latin Rite.	Jacobites.	Mar Thoma.	Christian Depressed Classes.	
..	18	51	7	...	2	2	3	...	...	5	1	6	..	2	6	4	..	..

Appendix VI.

Vide **Answer to Question No. 28.**

Statement, by caste, of the appointments made by the Anchal Superintendent during the years 1104, 1105 and till the 26th Tulam 1106.

	Caste.		*No.*
1	Brahmins (Malayala)	...	1
2	Do. others	...	4
3	Ezhavas	...	2
4	Kshatriyas	...	1
5	Nayars	...	6
6	Other Hindus	...	2
7	Vellalas	...	1
8	Mussalman	...	1
9	Roman Catholic Latin rite	...	1
	Syrians:		
10	Jacobite	...	3
11	Mar Thoma	...	1
			23

Appendix VII.

***Vide* Answer to Question No. 29.**

Statement, by caste, of the appointments made by the Conservator of Forests during 1104, 1105 & 1106.

	Caste.	Number of appointments made during 1104	1105	till 25-3-1106
HINDUS.	Brahmins (Malayala) ...	...	...	...
	Brahmins (others) ...	1	1	...
	Ezhavas ...	...	1	..
	Kammalas ...	...	...	...
	Kshatriyas (Malayala) ...	..	...	...
	Nadars ...	...	...	1
	Pulayas ...	...	...	...
	Nayars ...	5	6	1
	Vellalas ...	2	4	...
	Other Hindus ...	..	2	...
	Other depressed classes ...	...	...	...
MUSSALMANS.	...	...	1	...
CHRISTIANS.	Roman Catholics :			
	(*a*) Latin rite ...	...	...	...
	(*b*) Syriac rite ...	...	1	...
	Protestants ...	2	...	...
	Syrians :			
	(*a*) Jacobite ...	2	1	1
	(*b*) Mar Thoma ...	...	...	...
	Church of England ...	...	...	...
	Others ...	...	...	...

ADJOURNMENT MOTION.

PRESIDENT: There is an application made by Mr. T. C. Kesava Pillai for permission to move the adjournment of the business of the House to discuss a matter of public importance regarding the recent measure adopted by Government in the matter of the collection of revenue by the sale of immovable property and the grievances caused thereby to the public.

I consider it to be in order and desire to ascertain the wishes of the House.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): It has not been opposed.

PRESIDENT: Does anybody oppose it?

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): I oppose it.

The motion was then put to vote and as more than 20 members were in favour of the motion being discussed, the President announced that the motion would be taken up and discussed the next day after lunch at 3-30 P. M.

PRESIDENT: Mr. Krishna Pillai, your motion also relates to the same subject and so I suppose you do not press it.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): No, Sir.

LEGISLATION.

THE TRAVANCORE NAMPUTIRI BILL.

MR. K. N. KESAVAN NAMPUTIRIPAD (*Jenmies*): Sir, before the Travancore Namputiri Bill is finally passed I beg to move the following verbal amendments:—

In sub-clause (1) of Clause 1 substitute '1106' for '110'

The motion was seconded by Mr. C. N. Tuppan Namputiripad.

PRESIDENT: Anybody opposing the amendment? It is only a verbal amendment because the year has to be inserted even otherwise.

The motion was carried.

MR. K. N. KESAVAN NAMPUTIRIPAD (*Jenmies*): In sub-clause (3) of Clause 1 add the words 'the 1st of Medam' after the word 'on' and substitute '1106' for 110'

The motion was seconded by Mr. C. N. Tuppan Namputiripad.

PRESIDENT: Anybody against the Amendment? This too seems to be a necessary provision as it relates to the date from which it should come into force.

The motion was carried.

MR. K. N. KESAVAN NAMPUTIRIPAD (*Jenmies*): I move that the Travancore Namputiri Bill as amended by the Council may be finally passed.

The motion was seconded by Mr. C. N. Tuppan Namputiripad.

PRESIDENT: I take it that that House allows the motion.

The motion was carried.

MR. K. N. KESAVAN NAMPUTIRIPAD (*Jenmies*) : Sir, I request your permission to speak a few words.

Mr. President and members, on behalf of the Namputiri community, I take this opportunity to thank you all—the President, the Deputy President and members both official and non-official for the great interest and sympathy you have shown during the course of the discussions of the Namputiri Bill. This Namputiri Bill is the only piece of social Legislation that has been licked into shape during the life-time of this Council and I am sure that we have every right to feel gratified over the result of our labours. Six years have passed since this Bill was first introduced in the Travancore Legislative Council. This Bill, you will know, had not a smooth sailing in Council. Fortunately the difficulties have been overcome and we have been able to give the finishing touch to the Bill.

The discussions and deliberations of the Bill had swallowed up a good deal of the precious time of this Council, and consequently the Council had to postpone many an item of business affecting the wider interest of the country. But when it is viewed in the light that we have been able to give a Legislation to a community, the future prosperity and progress of which entirely depend on such an enactment, I am sure that it will not be considered as a wastage of time and energy. It is not my opinion that this Bill is free from all shortcomings, and is entirely satisfactory. Time may necessitate amendments and alterations to suit the progressive ideas of the Namputiri community and when such necessity arises I hope that the same good will and sympathy of the House would be extended then also.

It is my pleasant duty on this occasion to give expression to my indebtedness to Messrs. Tuppan Namputiripad and Jathavedan Namputiripad, the members co-opted for the considerations of the Bill. The former, as the House may remember, was the first mover of the Bill in the last Council and is an earnest worker for the welfare of the community. Mr. Jathavedan Namputhiripad who represents the more orthodox section of the community has contributed not a little to shape the Bill in such a manner as acceptable to the entire community. Their solicitude and labours for the progress of the community would be gratefully remembered.

I once again, before resuming my seat, thank you all for the kind support you have given me in finally passing this Travancore Malayala Brahmin Bill in this Council.

CONSIDERATION OF THE REPORT OF THE SELECT COMMITTEE ON THE AMENDMENT OF STANDING ORDER NO. 56.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : I beg to present the report of the Select Committee on the amendment of the Standing Order No. 56 of the Legislative Council Standing Orders. My amendment was to substitute '2' for '5'. But the majority of the Select Committee considered that '3' would be the proper change. With that alteration the Select Committee has submitted its Report before this House.

[Mr. A. S. Damodaran Asan.]

Sir, I move that the Bill as reported by the Select Committee be taken up for consideration.

MR. V. CHELLAM PILLAI (*Tovala*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It may be taken into consideration. I shall oppose it when the Clauses are taken up.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): There is only one Clause.

PRESIDENT: So that only Clause may be taken up for consideration.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I rise to oppose the amendment. The existing Standing Order lays down that five days' notice should be given............

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether the whole Bill is now opposed or only the particular amendment in question?

MR. KAYALAM PARAMESVARAN PILLAI ((*Additional Head Sirkar Vakil*): The Standing Order as it is now placed before the Council is opposed.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether there is any amendment proposed by the learned Law Member?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No, but I oppose this amendment.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Therefore am I to understand that he opposes the whole Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes. It amounts to that.

The Standing Order now provides that five days' notice should be given in order that the official members may be able to give full information on the point raised in the cut motion. Now the point for consideration is whether three days would be sufficient to enable Government members to do their duty to this Council. The object of this notice is, as I have already indicated, to enable the official members to get the necessary information in order to decide whether they should oppose or accept the cuts proposed in the Council. Whether the cut motions are accepted or rejected—that is a matter which depends upon the judgments of the House; and nobody can foresee it—I consider that it is one of the supreme duties of the Government members to collect all the information possible and place it before this House. That is the duty which I do not like any member of Government to fail in whatever may be the result of the motion.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): May I know from the Law Member the period of notice fixed in the Legislative Assembly?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I shall proceed to that presently.

Having regard to the duty of the Official members which I consider very important, I feel that three days would be too short a period for them to discharge it. It is after receipt of the notice that the Government members have to get all the information required to reply. Unless they get sufficient time they will not be able to give satisfactory answers to the questions raised by the members on the other side of the House.

Mr. R. Kesava Pillai asked me about the rule in regard to the notice in the case of the Legislative Assembly. There two days' notice would be sufficient. But I need hardly remind the House that the constitution of the Legislative Assembly is different from the constitution of this Council. Here the official members have to deal with the subjects after they get the notice from the non-official members.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Karthikapalli*): May I know whether the constitution here is less efficient than the constitution there?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is not what I say, Sir. In the Assembly there are Executive Council members *i. e.* Government members each one of whom is in charge of particular port folios and they can deal with questions in the Assembly also on their own responsibility. That is not the case here.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Is not the required information available in the Secretariat?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Information may be available in the Secretariat. But all that is available in the Secretariat would not be enough for giving full and satisfactory answers to the questions raised. The Secretariat Officers would have to depend upon the information contained in the files and if that is all that the House expects from every one of us on this side of this House, then it may be good and easy for some of us, at any rate. But the House expects us to speak on behalf of Government in regard to the questions raised in the motions, that makes a large difference.

MR. K. GEORGE (*Chief Secretary to Government*): May I ask the member whether the proposal to cut or omit an amount has not first to be communicated to the Heads of the Departments who had to answer in the Council.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes. The views of the Heads of the Departments have to be ascertained and the Heads of Departments in charge of the various Budget Demands have to ascertain the views of Government. It is in view of all these that I request the House to consider whether three days' notice would be sufficient.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): Will it not be possible to ascertain the views of the Heads of the Departments within three days?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirka Vakil*): Sometimes it may not be possible.

Then, Sir, I can understand the necessity for the amendment if any difficulties have been actually felt by the members on the other side of the House on account of the present provision for five days' notice. Under the Standing Orders the President may even waive notice in fit cases.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Will all the difficulties that my friend has been detailing be obviated if the President waives notice and admits motions which give only three days' notice?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes; in some cases even one day's notice would be enough. That is why I said in fit cases. It may be left to the President to waive notice.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Will not the Government members be in difficulty in such cases?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It is only in unavoidable and deserving cases that we expect waiver of notice to be applied for and get sanctioned. If in such fit cases, waiver is prayed for and the President refuses to grant it, then I can understand an amendment of this kind. But such difficulties have not arisen so far. I can give a number of instances where notice has actually been waived.

As regards the advisability of adopting this amendment as I have already submitted, it will put the Government members into very serious difficulty in the discharge of their supreme duty to this House.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): This question was considered, Sir, at some length in the Select Committee. The original Standing Order prescribed notice of five days. Mr. Asan's amendment was to put it as two days. We thought that the interests of all concerned would fairly be satisfied if instead of two days, as suggested by Mr. Asan, and five days as at present; three days is now fixed as the period of notice. The difficulties which my friend, the Law Member now apprehends, are to my mind, practically imaginary. When the Budget is prepared, all available materials are collected and considered by the Head of the Department before he submits his departmental Budget to Government and Government are supposed to go through the Budget in detail, call additional information wherever necessary and ultimately place the budget before the Council for sanction. To say, Sir, that something new might turn up which would necessitate a reference back to the Head of the Department, does not commend to me as something very serious. Perhaps this amendment would mean a little extra pressure thrown on the Departmental Heads and the Secretariat Officers. I can concede that, but the pressure under which even now

they have to work during Budget Sessions cannot be considerably enhanced by this little extra pressure also being added on to it. No doubt, the President will be fairly disposed to consider exceptional circumstances. What the proposed amendment contemplates is that without placing the President in an inconvenient position the object could be achieved by amending the Standing Order concerned. That certainly is better than making an appeal to the President for suspending the Standing Order whenever prescribed notice could not be complied with. I do not think, Sir, there is anything very serious about it. Reference was made, Sir, by my friend Mr. Paramesvaran Pillai to the Executive Council in the Legislative Assembly. I do not think that that makes any very serious difference because the Executive Council members also may have to make references to the Departmental Heads.

The Executive Council members of the Government of India or the members of the Fort St. George are not the Heads of Government. They control the affairs just as the different sections of our Secretariat deal with them here. Our Secretariat Sections must certainly correspond to the different members of the Executive Council. If the Executive Council Members do not find any difficulty in securing the necessary information from the Departmental Heads within two days, what is the difficulty here? So far as this Council is concerned to get information from the Heads of Departments particularly all of whom are in Trivandrum is easy enough. Certainly it cannot be difficult for the Government to secure all the information that they call for in time. Further if after this amendment is carried, if real difficulty is felt as is now feared by Mr. Paramesvaran Pillai, it is certainly open to us to alter the Standing Order and make it five or six or even seven days.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May I ask whether any difficulty has been felt by the members on the other side of the House on account of the present provision of five days?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Certainly it seems to have been felt. That was the ground on which permission was granted by the House.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am asking for the member's personal experience whether he has felt any difficulty in the matter?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Unfortunately, Sir, I had not sent any cut motion during all these years that I have been a member of the Council.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Has any difficulty been brought to his notice by any member of this House?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Yes. That is it. That is why the amendment is pressed before this House; and the Select Committee is in favour of the amendment

[Rao Bahadur K. A. Krishna Aiyangar].

of the Standing Order. There is Mr. Asan distinctly assuring the House that difficulty *is felt* on account of the present provision and my friend Mr. Paramesvaran Pillai is also prepared to concede it. His only point seems to be that the Government members would be at a serious disadvantage in the matter of collecting the necessary information from the Departmental Heads, as if necessary information would not be available in the Secretariat. Whatever information is necessary, I think, will be available in the Secretariat because all matters are dealt with in the Secretariat at some stage or other, and I take it that all Budget demands and motions are dealt with by the Secretariat.

Why make such a serious opposition to what appears to be a change intended for the convenience of the non-official members who feel that they are being heavily handicapped in the discharge of their duty? How is the Government seriously prejudiced by the proposed change? My friend said that if the members on this side of the House would be satisfied with the information available in the Secretariat alone, he would have no objection to accept the amendment now under consideration. Certainly, he is not expected to do anything more than that. The information in the Secretariat will certainly be quite substantial and reliable. If he thinks that it has to be supplemented, by all means, let him collect all possible information from the Head or the subordinates of the Departments concerned within the few days that he has before him. It is certainly open to him to say 'You have given me only three days' notice; this is all the information that I could possibly get within that time; I asked for five days' notice but you gave me only three days'. That is a perfectly intelligible position. But to say at the outset that there are very serious difficulties which would handicap Government and the Government members, does not strike me as fair. By way of analogy, let us take the case of the adjournment motions. They do not deal with airy nothings; they also deal with subjects which in the opinion of the Council are important and urgent. Notice of these adjournment motions are given in the morning, and, ordinarily, they are discussed in the afternoon of the same day itself. It is only in exceptional cases that the discussion is postponed to the afternoon of the next day. How do the official members manage to collect all the information necessary within the few hours after notice of these urgent motions is given? If they can do that, I do not see how in the case of Budget motions they could say that the difficulties would be very serious if the number of days of notice is curtailed. I therefore support Mr. Asan's motion.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Sir, I also support Mr. Asan's motion. A pertinent question has been asked by the learned Law Member, namely, whether any difficulty has been experienced by the members on this side of the House on account of the existing provision in Standing Order No. 56. That question has to be answered. Sir, it will be fresh in the minds of the members of the House that, sometimes, even the preliminary edition of the Budget is supplied to the members just when they come here to attend the meeting on the

opening day of the Budget Session. Even the demand paper is supplied to them only on the day on which they attend the meeting. On account of these difficulties, there have been precedents when we have been compelled to adjourn the meeting or to postpone the date originally fixed for the general discussion of the Budget. Such precedents we can find out by a reference to the proceedings of the Legislative Council. There is no provision either in the Regulation or in the Standing Orders which compels the Government to supply copies of the preliminary edition of the Budget a certain number of clear days before the Budget is actually presented before the Council. It is therefore completely within the discretion of the Government to supply copies of the preliminary edition of the Budget whenever they like, sometimes even so late as when they come here to attend the meeting or leave their houses for that purpose. Under the existing provision, only two days are allotted for the general discussion of the Budget; and, on the third day the demand for the Land Revenue Department is taken up for consideration. As I already submitted, even the demand paper is supplied to the members only on the day on which the Budget is presented before them. There is no rule for giving five clear days' time to the *members on this side of the House* for sending up their motions with reference to the Land Revenue Department which comes almost always on the first day of the voting of grants.

MR. K. GEORGE (*Chief Secretary to Government*): May I know from the member whether there has been any occasion so far when the Budget was placed in the hands of the members only on the day of the meeting or even just one day before?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): I thought the learned Chief Secretary would not question that statement of mine. Even on the last occasion, Sir, the preliminary edition of the Budget was supplied to us only on the first day of the Budget Session, so that there was a lot of complaint from the members on this side of the House and the President, the predecessor of the present President, postponed the date on which the general discussion of the Budget was to begin in order that the members might have time to go through the Budget and prepare for the general discussion. That is quite fresh in my mind and, I hope, in the minds of other members also.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): May I ask the member, when the copies of the preliminary edition of the Budget for the current year were placed in the hands of the members?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): All right, Sir, I congratulate the Government for placing the copies of the preliminary edition of the Budget, a few days earlier this time (*Laughter*).

As long as there is no definite provision either in the Regulation or in the Standing Orders obliging the Government to place copies of the preliminary edition of the Budget before the members on this side of the House with a certain number of days' notice to them, at present

[Mr. K. P. Nilakanta Pillai.]

the Government are allowed to supply copies of the preliminary edition of the Budget at any time they choose, the members on this side of the House are sure to feel serious difficulty in studying the Budget and in sending up their cut motions within the time prescribed by the Standing Orders. So far as the old members are concerned, the difficulty may not be very serious, because, by their experience, they would know the technical terms and the different heads of the Budget. It is easy for them to refer to the Budget and to study it. But, in the case of new members, they would certainly feel considerable difficulty even to understand the different terms used in the Budget and to make pointed references to the numerous items contained in it. How is it possible for new members to study the Budget, within the short time at their disposal, and to send up their cut motions within the time allowed by the Standing Order?

MR. MATTHEW MURIKKAN (*Vaikam*): Does my friend therefore say that he would not support Mr. Assan's amendment now before the House if there is a definite assurance from the other side of the House that copies of the preliminary edition of the Budget would be placed in our hands a certain number of days before the date on which the Budget is presented?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Certainly, if there is such an assurance from the other side, it is a point to be considered by us, on this side of the House, in fixing the number of days' notice that we should give for our motions.

MR. KAYALAM PARAMESAVARAN PILLAI (*Additional Head Sirkar Vakil*): How many days before the presentation of the Budget does my friend, Mr Nilakanta Pillai, want the copies of the preliminary edition of the Budget to be supplied to the members?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): On the first day of the Budget Session, the Budget is presented before the Council. After the first day, two days are given for the members to go through the Budget. Then, there is general discussion on the Budget for two days.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): What I want to know is whether it would satisfy my friend and the other members, if copies of the preliminary edition of the Budget are supplied to them two days before the Budget is presented to the House?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Is it a hypothetical question that my friend is now asking?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No, no; I want to know whether it would be considered sufficiently early if copies of the preliminary edition of the Budget are supplied to the members, say, two days before the day on which the Budget is presented to the House?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Even then it would not be sufficiently early; because the members would not get five days' time.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If copies of the preliminary edition of the Budget are supplied to the members two days before the date of presentation of the Budget......

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): May I just suggest, Sir, that any such undertaking by my friend Mr. Paramesvaran Pillai, that copies of the preliminary edition of the Budget would be supplied two days before the presentation of the Budget, cannot take the place of a Standing Order. This sort of assurance is not binding on Government. Therefore, what is the good of continuing that discussion unless the Government seriously contemplate an amendment of the Standing Orders in the light of the observations now made by my friend Mr. Nilakanta Pillai? The whole discussion as it is seems to me to be irrevelant.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not see how, and why the learned Deputy President should question the relevancy of my question. I may seek to add a rider to the amendment now before the House.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): For the best of reasons, my friend need not lose his temper. I do, even now, distinctly question the relevancy of his observations, once again, with a full sense of my responsibility. So long as my friend did not preface to speak on behalf of Government and did not specifically offer to add a rider on to the existing Standing Order, providing that copies of the preliminary edition of the Budget shall be placed in the hands of the members of the Council a certain number of days in advance of the actual presentation of the Budget, I submit, his personal undertaking and any discussion on it is irrelevant. Of course, if *you*, Sir, say that my observations are not relevant and are out of order, I am prepared to submit to the ruling.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): If such an offer from the learned Law Member is not coming forward in an acceptable form, there is no use in answering the question now put to me by him.

Sir, the difficulties which confront the non-official members of the House are the same which I have just now explained. I think I have answered the learned Law Member's question whether any difficulty has been experienced by the non-official members on account of the present provision in the Standing Order. There is therefore no ground for opposing the amendment now before the House.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Has any member requested the President to waive the notice on account of the difficulties experienced by him?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): In the Rules and Standing Orders, the members' hands are tied down. Even if they delay their motions by a day or by an hour, their motions would not be accepted by the President. On account of the strict enforcement of the provisions, the members would have to appeal to the President for waiver of the notice every time there is insufficiency of it. It is just to avoid such frequent trouble that the Standing Order is now sought to be amended.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Has not the President the power to waive notice?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): The President certainly has got that power. But, when we have got the power to amend the Standing Orders suitably, why should we pray for the President's mercy every time we experience this difficulty in regard to notice. And, most often the President would refuse to grant our prayers for the waiver of notice. Why should we pray for special favour from the President when we have got the *right* to make suitable provisions? Therefore, that question as to whether any of us has ever approached the President for waiver of notice is out of place.

I therefore submit that the Bill is highly necessary. I therefore support Mr. Asan's motion.

MR. K. GEORGE (*Chief Secretary to Government*): There seems to be some slight misconception on the part of my friend Mr. Krishna Aiyangar, as to the necessity for this notice of motions. He seems to think that the Budget is managed and conducted entirely by the Secretariat Officers.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Any way, three days' notice would, I think, be sufficient.

MR. K. GEORGE (*Chief Secretary to Government*): This notice is not for the Secretariat Officers to collect any information. The reason why this notice is required is not that the Secretariat does not possess information on the different subjects. But in the case of the Heads of the Departments, there would be some difficulty in the matter of preparing their answers to the cut motions. In some cases, they may have to make references to their subordinates. In some other cases they may have to take the orders of Government as to what they should say in reply to certain motions. For all these reasons, it is desirable that we have the period of notice now given in the Standing Order, namely, five days. It is not the Secretariat Officers that come and make demands here; it is the Head of the Department himself. He makes the demand; and *he* has to answer the questions raised during the discussion of the cut motions. He has to prepare his case; and that takes some time. And, in the preparation of his answers, sometimes, he has to consult other officers. Sometimes he has to make a consultation with Government. It is for these reasons that we desire to have the five days' notice now provided for in the Standing Orders.

I may also say a word about one other point, namely, the analogy of the adjournment motions. The difference between adjournment motions and cut motions on the Budget is this. The adjournment motion is and has to be only on one matter of urgent public importance. But, the motions for the reduction of grants, as the House well knows, deal with a multitude of important questions. That is the difference between cut motions and adjournment motions. That is all that I have to say.

MR. E. G. MCALPINE (*Director of Public Instruction*): It is not my habit, Sir, to intervene in a discussion that does not concern matters relating to the Education Department. Although this is a general topic, it has a practical significance for the Heads of Departments who have, in the Council, during the Budget Session, to answer for their respective departments and, there are practical difficulties which I do not think the members on the other side of the House appreciate. The Education Department, for example, last year, had over one hundred token cut motions.

Now, Sir, there are three kinds of token motions, one where the member does not specify what he wants to talk about; a second type where the member specifies the topic and the topic is a general one say for example, he wishes to discuss the grievances of a certain class of teachers under the reorganisation of the Vernacular School Teachers' salary. On a topic of such kind, it is natural to expect that the Director of Public Instruction will have information in his office, and, if *he* has not got it in *his* office, he can have access to the Chief Inspector who will have it. But, Sir, there is a third type of cut motions dealing with specific places and with specific teachers and with the grievance of perhaps of some headmaster of some school. In a case of this kind, generally, with three days' notice, it will not be possible for the member, in charge of the reply to the cut motion, to get all the information necessary. During the last Budget Session, I had an instance where the information required was not available in my office; it was not available in the office of the Chief Inspector, and I requested him to send for it to the office of the Assistant Inspector concerned. But the Assistant Inspector was not at headquarters; he is an officer who has to be out on tour for not less than two-thirds of the month. The letter goes to his camp. He might have gone to a place, sometimes twenty or thirty miles off from headquarters, so that by the time the letter goes to the camp he leaves that place and goes to another place. The letter thus follows him sometimes for days together.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Without reference to three classes of motions that the Director has now been speaking of, may I know from him whether there does not arise a presumption that the Head of the Department is expected to post himself with all information, about the conduct and other matters of all the headmasters of schools, in the ordinary course of things, apart from the motions in the Council?

MR. E. G. MCALPINE (*Director of Public Instruction*): As long as the members on the other side do not expect me to send for information from subordinate offices, and expect me only to place before them whatever information is available in *my* office, I am only delighted. But the fact remains that the members choose to move cut motions on any topic whatever; and I am expected to deal with them. On the last occasion, Sir, there were certain type of motions—and I have no reason to believe that such motions will not occur in future also—upon which it is impossible for any departmental head to get the required information in time. As long as the members on the other side of the House understand this, I dare say they would not fail to realise that this is a genuine difficulty that we have in the matter.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : May I ask the member whether the difficulties that he is now referring to are peculiar to the Travancore Legislative Council ?

MR. E. G. MCALPINE (*Director of Public Instruction*) : I have experience of only one other Legislative Council in India ; and there, the period of notice was longer than here.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : The learned Law Member said that for the convenience of the heads of departments these five days' notice was necessary. Are not these departmental heads expected to be thorough with every topic concerning their department ? We, the members on this side of the House, want to curtail this period of notice to three days, because we want to get ample time to study the Budget. We cannot be expected to be thorough with departmental matters as the heads of the departments concerned. The departmental heads have to prepare their Budgets and send them to Government early enough, when *they* could have studied everything concerned with their own Budgets long before the meeting of the Council. Therefore, for replying to the cut motions during the meeting of the Council, the heads of departments do not require any previous preparation. They know, long before the meeting, what the Budget contains. On the other hand, so far as we are concerned, we require time to study the Budget and to get a clear grasp of it. It is only after studying the Budget carefully that we can send in our cut motions. It is for that purpose that we want to curtail the period of notice to three days.

Then, Sir, the Education Director said that the members on this side of the House are not in the habit of sending in the topics of their motions, generally.

MR. E. G. MCALPINE (*Director of Public Instruction*): On a point of personal explanation, Sir, I did not say that the members were not *in the habit of* sending in their topics. I said that token motions were of three kinds and that in one of those three classes the members do not send in the topics which they wish to discuss. That is quite different from saying that the members are not *in the habit of* sending in their topics. I only said *some members did not do so*.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): At any rate, in the case of the majority of members it was suggested.............................

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know from the member whether in the case of token cut motions the members are bound to inform the official members the objects of the motions?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): I do not think the members are bound to do that.

The learned Law Member said that if we could not give the five days' notice as prescribed by the Standing Orders we could request the President to waive the notice. Sir, this waiver of notice depends entirely on the good wishes and sweet will of the President. Today, we may have a President who is kind enough to grant it. Tomorrow another President may come who refuses to waive the notice. We wish to curtail this period of notice, as a matter of *right* instead of craving for a *favour* from the President.

Then, the Law Member asked whether, if an assurance is given that copies of the preliminary edition of the Budget would be supplied to the members a certain number of days before the first day of the meeting of the Budget Session, the members would have any objection to the five days' notice now provided for in the Standing Orders. Sir, in the case of these assurances, there is no statutory obligation; and it may not always be adhered to. The assurance, therefore, has no value; and we cannot depend upon it. We want to amend the Standing Order in question so that we may claim it as a matter of right. With these words, I support Mr. Asan's motion.

MR. V. S. KRISHNA PILLAI (*Tiruvalla*): മി. ദാമോദരൻ ആശാൻെറ ഭേദഗതിയോടു ഞാൻ അനുകൂലിക്കുന്നു. എല്ലാ ഡിപ്പാർട്ടുമെൻറുകളുടേയും വരവുചിലവുകളെപ്പററി പഠിക്കുന്നതിനു മെമ്പറന്മാക്കു അനുവദിച്ചുകൊടുത്തിട്ടുള്ള സമയം രണ്ടുദിവസമാണ്. അതിനെ ഒരുവിധം പഠിച്ച് ഉപക്ഷേപങ്ങളോ മററോ കൊണ്ടുവരുന്നതിനു മെമ്പറന്മാക്ക് വളരെ കുറച്ചുസമയമേ ഉള്ളു. ഓരോഡിപ്പാട്ടുമെൻറുമേലധികാരിയും അവരവരുടെ ഡിപ്പാർട്ടുമെൻറിനെസംബന്ധിച്ചിടത്തോളം ഉണ്ട അറിവുകൾ സമ്പാദിച്ചതിനുമേലാണ് ഈ ബഡ്ജററു രൂപീകരിക്കുന്നതു്. അവക്ക് ഏതെങ്കിലും ഒരു തൃപ്തികരമായ ഉത്തരം തരുന്നതിനു അഞ്ചുദിവസത്തിൽകുറഞ്ഞാൽ വളരെ പ്രയാസമായിരിക്കും. തൃപ്തികരമായ സമാധാനമല്ലാതെയിരുന്നാൽ മെമ്പറന്മാർ വളരെ അതൃപ്തരുമായിരിക്കുമെന്നാണ് പണ്ഡിതനായ ലാമെമ്പർ ഇവിടെ പ്രസ്താവിച്ചതു്. കേവലം സാധാരണബുദ്ധിക്കുതന്നെ അശേഷം യോജിക്കുന്നതായിട്ടു് ഇരിക്കുന്നില്ല എന്നാണ് എനിക്കു തോന്നുന്നതു്. പൊതുവേയുള്ള ഒരു ജ്ഞാനം സമ്പാദിക്കുന്നതിനു രണ്ടുദിവസം മാത്രമാണ് ഞങ്ങൾക്കു അനു

[Mr. V. S. Krishna Pillai.]

വദിച്ചിരിക്കുന്നതു്. ആ സ്ഥിതിക്കു് പ്രത്യേകമായ ഒരു ഡിപ്പാർട്ടുമെൻറിൻെറ ഏതെങ്കിലും ഒരു സംഗതിയെപ്പററി തൃപ്തികരമായ സമാധാനം കൊടുക്കാൻ അഞ്ചുദിവസം പോരായെന്നുപറയുന്നതു് സാധാരണബുദ്ധിക്കുതന്നെ യോജിക്കുന്നതായും ഒരിക്കലുമിരിക്കുന്നില്ല. ആ സ്ഥിതിക്കു് ഈ വാദപ്രതിവാദത്തിനുതന്നെ അവകാശമുണ്ടോയെന്നും എനിക്കുതോന്നുന്നില്ല. തീച്ചയായും മൂന്നുദിവസം ധാരാളം മതിയാകുമെന്നു സെലക്ററ്കമ്മിററി അഭിപ്രായപ്പെട്ടിരിക്കുന്നതു് വളരെ ബുദ്ധിപൂർവമാണെന്നാണു് എൻെറ അഭിപ്രായം. അതുകൊണ്ടു് മി. ആശാൻെറ ഭേദഗതിയെ ഞാൻ ഹാർദ്ദമായി അനുകൂലിച്ചുകൊള്ളുന്നു.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Sir, at the outset I must say that I would not have asked for reducing the number of days of notice from five days to three days if I thought that it would lead to inaccurate and unsatisfactory replies from the Government side. As for that matter, I submit, even at present the replies given are not satisfactory enough. If the reduction in the number of days of notice is going to lead to even more unsatisfactory replies from the official members, I am not one who would prefer that. From what the learned Law Member said I infer that the constitution of the Government machinery here is something less efficient than that of the Government of India. Otherwise, there is no reason why the Officials here alone should require a longer notice than those in the Assembly. It appears that there is something wrong either with the Government *machinery* here, or with the *personnel*. Our complaint has always been that the Government Officers are now over-paid and that they ought to be able to manage their affairs with much more efficiency than at present. Now, they themselves admit that they are not as efficient as the Officers of the Government of India. Sir, it is within the power of the Government to alter the machinery or the personnel. There is no use in telling us that they are not able to give satisfactory answers since they have been handicapped by the shortening of the period of notice.

A suggestion was made by the learned Law Member that the President has got the power to waive the notice for motions; and the Law Member asked the question whether any member on this side of the House has applied to the President for waiver of notice. I know, as a matter of fact, Sir, that several motions have been disallowed on the ground that the required notice had not been given. I may cite just one instance, Sir. I do not think any purpose would be served by my citing a number of instances. That would amount to a comment on the action of the President, which we would not be justified in making.

In *my* own case, Sir, there has been one unfortunate instance. For questions, Sir, twelve clear days' notice has to be given. For the first meeting of the Council, after I was newly elected, I sent some questions by Anchal just in time for the Secretary to get the twelve

clear days' notice. Unfortunately for me, on account of the fault of the Anchal Department, the letter was delayed, and the Secretary got only eleven days' notice. Most mercilessly, Sir, my question was rejected for want of a single day's notice.

MR. L. A. BISHOP (*Commissioner of Police*): Did the member affix the necessary stamp for his letter?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I sent a bearing letter. We are privileged to send bearing letters to the Secretary. I wrote to the Secretary to ascertain the date of receipt of my letter. I adduced evidence as to the date of posting of the letter at Quilon. I wrote to the Anchal Superintendent. A lot of correspondence took place, but without any satisfactory result.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Did he request the President to waive notice?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I got a reply from the Secretary, about the want of notice and the consequent rejection of my question, only about five days before the date of the meeting. I had then to write to the President for waiver of notice, get it sanctioned, again write to the Secretary and get the answers prepared after all that. I thought, all that was not easy or possible and that it would end in mere waste of my stationery.

I therefore submit, Sir, that the observations of the Law Member do not satisfy me, nor do I think that it is safe or sure to go and trouble the President for waiver of notice and get it sanctioned every time we have the difficulty.

Another question which the Law Member asked was whether this side of the House would be satisfied if an assurance is given as regards the early and timely supply of copies of the preliminary edition of the Budget. I submit, that assurance will not do. The preliminary edition of the Budget gives us only the figures. They are actually explained only during the presentation of the Budget by the Financial Secretary; and it is only after hearing the Financial Statement of the Financial Secretary that we can decide whether any cut motion is necessary. Sir, why should we undergo all these troubles when we have the right to reduce the number of days of notice? In the Assembly, Sir, they have only two days' notice.

In Madras they have only three days' notice. Sir, this is the only occasion on which I find myself happy for the fact that Travancore is after all only a small State. If it had been bigger, the learned Law Member and the other official members would demand much longer notice than even five days; because the learned Director would have to ascertain facts about the conduct of headmasters who are thousand miles away from Trivandrum. Sir, the Heads of Departments and the Secretariat Officers must be thorough with matters relating to the Heads of the Budget that they have to deal with. They have no excuse for asking for more time than what is allowed in such Councils elsewhere. With these words, I press the motion.

PRESIDENT : I think it may now be put to vote.

Those who are for the motion will please raise their hands.

All the non-official members voted for the motion and hence the motion was declared carried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I demand a poll.

PRESIDENT : All the non-official members who are present to-day as a body have voted for the motion. I do not think there is any necessity for taking a poll.

Already a note has been made of the members who are present to-day and all the non-officials in a body have voted for the motion.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*) : I demand a a poll just to know whether there are any neutrals among the official members.

PRESIDENT : Among the officials, let me know those who are against the motion.

All the official members stood up against the motion so that there was no neutral.

PRESIDENT : I think you are satisfied now, Mr. Kesava Pillai. There is no room for neutrals here. (Laughter).

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*) : I move that this Bill be taken up and passed on a subsequent meeting.

PRESIDENT : What is the sense of the House as regards the leave that is applied for?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*) : This is only a continuation of the other proceeding namely that this Bill be taken up and passed on a subsequent meeting.

MR. K. N. KESAVAN NAMPUTIRIPAD (*Jenmies*) : I second it.

PRESIDENT : May I take it that the House sanctions it?

The motion was carried.

THE TRAVANCORE KSHATRIYA BILL.

MR. REVATI NAL RAMA VARMA RAJA (*Eduvagai*) : സർ, തിരുവിതാംകൂർ ക്ഷത്രിയ ബിൽ ഈ കൌൺസിലിൽ അവതരിപ്പിക്കുന്നതിന് അനുവാദം ചോദിച്ചുകൊള്ളുന്നു.

PRESIDENT : As there is no opposition I take it that leave is granted to introduce the Travancore Kshatriya Bill by Mr. Revati Nal Rama Varma Raja.

The motion was carried.

A BILL TO AMEND THE TRAVANCORE NAYAR REGULATION, II OF 1100.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*) : I beg to move for leave to introduce a Bill to amend the Travancore Nayar Regulation II of 1100.

PRESIDENT : There is no opposition and so I take it that leave is granted to introduce a bill to amend the Nayar Regulation II of 1100.

The motion was carried.

THE TRAVANCORE MINORITY MARUMAKKATHAYAM BILL.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanacherry cum Peermade*) : I beg to move for leave to introduce the Travancore Minority Marumakkatayam Bill.

PRESIDENT : There is no opposition and so I take it that leave is granted to introduce the Travancore Minority Marumakkatayam Bill.

The motion was carried.

THE TRAVANCORE PARTITION BILL.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*) : I ask permission for leave to introduce the Travancore Partition Bill.

PRESIDENT : There is no opposition and so I take it that leave is granted to introduce the Travancore Partition Bill.

The motion was carried.

A BILL TO AMEND THE LAW RELATING TO INHERITANCE AND SUCCESSION AMONG MUSLIMS OF TRAVANCORE.

MR. P. S. MAHOMED (*Nominated*): മുസ്ലിമീങ്ങളുടെ ഇടയിൽ ചിൻതുടച്ചാവകാശത്തെപ്പററി നിശ്ചയിക്കുന്നതിനു ഒരു ബിൽ ഈ സഭയിൽ ഹാജരാക്കുന്നതിനു ഞാൻ അനുവാദം ചോദിച്ചു കൊള്ളുന്നു.

PRESIDENT : There is no opposition and so I take it that leave is granted to introduce a Bill to amend the Law relating to inheritance and succession among Muslims of Travancore.

The motion was carried.

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

ADVERTISEMENT OF VACANCIES AND COMMUNAL REPRESENTATION IN PUBLIC SERVICE.

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*) : This Council recommends to the Government that, in regard to the appointments to be made during the next five years in the various departments and grades of the Travancere Public Service, notification be published inviting applications for vacancies occurring in any department, that preference be given to the applicant belonging to the community that is least represented in the particular department on the basis of population, provided his examination qualifications are not inferior to those prescribed for the same appointment in the Travancore Service Regulations, and that the same policy be adopted in the case of appointments made from the service to the various grades.

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*) : സർ, ഇന്നത്തെ കാര്യപരിപാടിയിൽ ഉള്ള ഒന്നാമത്തെ പ്രമേയം ഞാൻ ഇവിടെ അവതരിപ്പിച്ചു കൊള്ളുന്നു.

"തിരുവിതാംകൂർ പബ്ലിക്കസർവീസിലെ വിവിധ ഡിപ്പാർട്ടുമെൻറുകളിലേക്കും ഗ്രേഡുകളിലേക്കും അടുത്ത അഞ്ചുവർഷക്കാലത്തേക്കു നടത്തുന്ന നിയമനങ്ങളുടെ സംഗതിയിൽ ഏതെങ്കിലും ഡിപ്പാർട്ടുമെൻറിൽ ഒഴിവുണ്ടാകുമ്പോൾ ആ വിവരം പരസ്യപ്പെടുത്തി അപേക്ഷകൾ

[Mr. A. C. Kuriakose.]

ക്ഷണിക്കുകയും ടി ഡിപ്പാർട്ടുമെൻറിൽ ജനസംഖ്യകണക്കിനു ഏററവും കുറഞ്ഞ പ്രാധിനിധ്യമുള്ള വർഗ്ഗത്തിൽപ്പെട്ട അപേക്ഷകനു തിരുവിതാംകൂർ സർവീസു ചട്ടങ്ങളിൽ ടി ഉദ്യോഗത്തിനു നിശ്ചയിച്ചിട്ടുള്ള വിദ്യാഭ്യാസയോഗ്യതയിൽ കുറവില്ലാത്ത പരിക്ഷായോഗ്യതയുണ്ടെങ്കിൽ പ്രസ്തുത അപേക്ഷകനു പ്രാഥമ്യം നൽകുകയും ഓരോ ഗ്രേഡിലേക്കും സർവീസിൽ നിന്നു നിയമനം നടത്തുന്ന വിഷയത്തിലും ഈ നയം തന്നെ അനുസരിച്ചു പ്രവർത്തിക്കുകയും ചെയ്യണമെന്നു ഈ കൌൺസിൽ ഗവൺമെൻറിനോടു ശുപാർശചെയ്യുന്നു. ''

ഇതാണു എൻെറ പ്രമേയം. ഈ പ്രമേയം തന്നെ ഇതിനു മുൻപൊരിയ്ക്കൽ ഈ കൌൺസിലിൻെറ ആലോചനക്കു വിഷയമായികൌൺസിൽ പ്രൊസീഡിംഗ്സ് ൧൬-ാം വാല്യം ൭-ാം പുസ്തകം ൪൩൯ മുതൽ ൪൪൯ വരെ വശങ്ങളിൽ ഞാൻ ഈ പ്രമേയം അവതരിപ്പിക്കുന്നതിൻെറ ഉദ്ദേശത്തെപ്പററി വിവരിച്ചു പറഞ്ഞിട്ടുള്ളതു രേഖപ്പെടുത്തിയിട്ടുള്ളതായി കാണാം. ഈ പ്രമേയത്തിൽ പ്രത്യേകം ശ്രദ്ധിക്കേണ്ടതായ സംഗതികൾ എല്ലാം അന്നു പറയുകയും, അന്നു ഈ കൌൺസിലിലെ ചില സാമാജികന്മാർ അതിനെ അനുകൂലിച്ചു പ്രസംഗിക്കുകയും ചെയ്തുകഴിഞ്ഞിരിയ്ക്കുന്നു. നമ്പൂതിരി ബിൽ ഇതിനെ തുടർന്നു വാദപ്രതിവാദം നടത്തിയതു കൊണ്ടു ഈ പ്രമേയത്തെ സംബന്ധിച്ചു കൂടുതൽ നിരൂപണം ചെയ്യുന്നതിനു സന്ദർഭം ലഭിക്കാത്തതു നിമിത്തം ഇപ്പോൾ വീണ്ടും അവതരിപ്പിക്കാൻ ഇടയായിട്ടുള്ളതാകുന്നു.

ഈ പ്രമേയത്തെപ്പററി കൂടുതലായ വിമർശനം കൂടാതെ ഞാൻ അന്നു പ്രതിപാദിച്ചിട്ടുള്ള കാര്യങ്ങൾ ഏതൊക്കെയാണോ അവയെ ആസ്പദമാക്കിത്തന്നെയാണ് എനിയ്ക്കു ഈ പ്രമേയത്തെ സംബന്ധിച്ചു കൌൺസിലിൻെറ ശ്രദ്ധയെ ആകർഷിക്കേണ്ടിയിരിക്കുന്നതു്. അതിനാൽ ഈ കൌൺസിലിൻെറ ഗാഢമായ ശ്രദ്ധയ്ക്കും തീരുമാനത്തിനും വിഷയമായിത്തീരുന്നതിനായി ഞാൻ ഈ പ്രമേയത്തെ അവതരിപ്പിച്ചുകൊള്ളുന്നു.

MR. P. S. MAHOMED (*Nominated*): ഞാൻ ഈ പ്രമേയത്തെ പിൻതാങ്ങുന്നു.

MR. ITTOOP ITTEECHAN (*Kunnatnad*) : ഈ പ്രമേയത്തിന് ഞാൻ ഒരു ഭേദഗതി ഹാജരാക്കുന്നു. ഈ പ്രമേയത്തിൽ ഡിപ്പാർട്ടുമെൻറുകളിലേക്കും ഗ്രേഡുകളിലേക്കും എന്നുള്ളതിനും നടത്തുന്ന നിയമന

ങ്ങളുടെ എന്നുള്ളതിനും മദ്ധ്യേ അടുത്ത ൫ വർഷക്കാലത്തേക്ക് എന്നുള്ളതിനെ എടുത്തുകളയണം. "അപേക്ഷകരെ ക്ഷണിക്കുകയും", എന്നതിനും "ടി ഡിപ്പാർട്ടുമെൻറിൽ" എന്നതിനും മദ്ധ്യേ "അതാതു ആണ്ടുകളിൽ ഉണ്ടാകുന്ന നിയമനങ്ങളിൽ ൫൦ ശതമാനം" എന്നു ചേർക്കണം. "പ്രാധാന്യം നൽകുകയും" എന്നുള്ളതിനും "ഓരോ ഗ്രേഡിലേക്കും" എന്നുള്ളതിനും മദ്ധ്യേ "ആദ്യത്തെ ൫൦ ശതമാനത്തിൻെറ വിതരണത്തെ കണക്കാക്കാതെ ബാക്കിയുള്ള ൫൦ ശതമാനം മദ്രാസിലെ റൊട്ടേഷൻ സ്കീം അനുസരിച്ച് ഓരോ സമുദായത്തിനും വീതിച്ചുകൊടുക്കണം." എന്നു ചേർക്കണം. ഇങ്ങിനെ വരുമ്പോൾ ഭേദഗതി പ്രമേയം താഴെപറയുന്നപ്രകാരമായിരിക്കും.

"തിരുവിതാംകൂറിലെ പബ്ലിക്ക് സർവീസിലെ വിവിധഡിപ്പാർട്ടുമെൻറുകളിലേയ്ക്കും ഗ്രേഡുകളിലേക്കും നടത്തുന്ന നിയമനങ്ങളുടെ സംഗതിയിൽ ഏതെങ്കിലും ഡിപ്പാർട്ടുമെൻറിൽ ഒഴിവുണ്ടാകുമ്പോൾ ആ വിവരം പരസ്യപ്പെടുത്തി അപേക്ഷകരെ ക്ഷണിക്കുകയും അതതു ആണ്ടിൽ ഉണ്ടാകാവുന്ന നിയമനങ്ങളുടെ അൻപതു ശതമാനം ടി ഡിപ്പാർട്ടുമെൻറിൽ ജനസംഖ്യക്കണക്കിന് ഏററവും കുറഞ്ഞ പ്രാതിനിധ്യമുള്ള വർഗ്ഗത്തിൽപെട്ട അപേക്ഷകന്, തിരുവിതാംകൂർ സർവീസ്ചട്ടങ്ങളിൽ ടി ഉദ്യോഗത്തിന് വിദ്യാഭ്യാസയോഗ്യതയിൽ കുറവില്ലാത്ത പരീക്ഷായോഗ്യതയുണ്ടെങ്കിൽ പ്രസ്തുത അപേക്ഷകന് പ്രാധാന്യം നൽകുകയും ആദ്യത്തെ അൻപതു ശതമാനത്തിൻെറ വീതത്തെ കണക്കാക്കാതെ ബാക്കിയുള്ള ൫൦ ശതമാനം മദ്രാസിലെ റൊട്ടേഷൻ സ്കീം അനുസരിച്ച് ഓരോ സമുദായത്തിനും വീതിച്ചു കൊടുക്കുകയും ഓരോ ഗ്രേഡിലേക്കും സർവീസിൽനിന്നും നിയമനം നടത്തുന്ന വിഷയത്തിലും ഈ നയം തന്നെ അനുസരിച്ച് പ്രവർത്തിക്കുകയും ചെയ്യണമെന്ന് ഈ കൌൺസിൽ ഗവൺമെൻറിനോട് ശുപാർശചെയ്യുന്നു."

MR. D. FRANCIS (*Nominated*): I second the amendment.

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): ഞാൻ ഈ ഭേദഗതിയെ സ്വീകരിക്കുന്നു.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*); I move the following amendment to the resolution now placed before the House.

1. Delete "during the next five years in the various Departments and Grades of" and substitute "in."

2. Delete the portion after the word "department" in line 5 and substitute the following.—

> "that appointments be made (in order) out of the list of candidates selected for appointments to the various grades of Public Service, by a Staff Selection Board consisting of an elected non-official majority appointed for the purpose and that the mere accident of a citizen having been born in or belonging to a particular community, caste or creed shall not prejudice or directly or indirectly affect his rights and claims for selection to any appointment or promotion thereon in the service of the State appointments carrying a salary of Rs. 15 and below, and Rs. 500 and above, per mensem, may of course be exempted."

ഈ പ്രമേയത്തിനു എനിക്ക് ഒരു ഭേദഗതി ഹാജരാക്കാനുണ്ട്. ആ ഭേദഗതി ഇപ്പോൾ ഹാജരാക്കാമെന്നു ഞാൻ വിചാരിക്കുന്നു. മി. കുര്യാക്കോസ് പറഞ്ഞതുപോലെതന്നെ ഈ പ്രമേയം ഇതിനുമുൻപൊരിക്കൽ അവതരിപ്പിച്ച സമയത്തു ഞാൻ ഏതെല്ലാം കാരണങ്ങൾ പറഞ്ഞ് എത്തുത്തുവോ അതിനെക്കാൾ കൂടുതലായി യാതൊന്നും പറയണമെന്നു ഞാനും വിചാരിക്കുന്നില്ല. ഇവിടെ ചില സമുദായക്കാർക്ക് ഉദ്യോഗം ശരിയായ വിധത്തിൽ കിട്ടാത്തതുകൊണ്ടു സങ്കടമുണ്ടെന്നു ഞാൻ മനസ്സിലാക്കിയതുകൊണ്ടാണു ഇതിന് ഇങ്ങനെ ഒരമൻഡുമെൻറു ഹാജരാക്കിയിട്ടുള്ളതു്. ഈ പ്രമേയം പാസാകാതെ ഈ ഭേദഗതി പാസാകണം എന്നാണ് എൻെറ അഭിപ്രായം. ഞാൻ ഈ ഭേദഗതികൊണ്ടുദ്ദേശിക്കുന്നതു് ഒരു സ്റ്റാഫ് സെലക്ഷൻ ബോർഡ് ഏർപ്പെടുത്തണമെന്നും ഉദ്യോഗത്തിനു നിയമിക്കപ്പെടേണ്ടവരുടെ ലിസ്റ്റ് അവർ തയ്യാറാക്കണമെന്നും അതിലേക്കുവേണ്ട കണ്ടീഷൻസ് എല്ലാം ഗവൺമെൻറും സ്റ്റാഫ് സെലക്ഷൻബോർഡും കൂടി നിശ്ചയിക്കണം എന്നുമാണ്.

ചില സമുദായക്കാർക്ക് ഉദ്യോഗം ശരിയായി ലഭിക്കാതിരിക്കുന്നതിനെ പരിഹരിക്കുന്നതിനുള്ള ഒരു മാർഗ്ഗം ഈ പ്രമേയത്തിൽ വിവരിക്കുന്നതുപോലെ ആണോ എന്ന് എനിക്കു സംശയമാണ്. അതുകൊണ്ട് ഈ പ്രമേയം മതിയാകയില്ലെന്നും പല സന്ദർഭങ്ങളിലും ഇതു് അപകടം ഉണ്ടാക്കിത്തീർക്കുമെന്നും എനിക്കു തോന്നുന്നു. ൧൫ രൂപായിൽ താണ ശമ്പളക്കാരുടേയും ൫൦൦ രൂപാക്കു മേലുള്ള ശമ്പളക്കാരുടേയും നിയമനം സ്റ്റാഫ് സെലക്ഷൻ ബോർഡിൽനിന്നും ഒഴിവാക്കണമെന്നു ഞാൻ ഈ ഭേദഗതിയിൽ പറഞ്ഞിട്ടുണ്ട്. അതിനുള്ള കാരണം

ഒന്നാമത്തു് ൧൫ രൂപാക്കുതാഴെയുള്ള ശമ്പളക്കാരുടെ കാൎയ്യമല്ലാ പ്രയോക്താവു് ഈ പ്രമേയംകൊണ്ടു് ഉദ്ദേശിച്ചിട്ടുള്ളതു് എന്നുള്ളതുകൊണ്ടും രണ്ടാമത്തു് അതിൽ വലിയ വഴക്കുണ്ടാകയില്ല എന്നു തോന്നിയതുകൊണ്ടും ആണു്. ൫൦൦ രൂപാക്കുമേൽ ശമ്പളമുള്ള ഉദ്യോഗസ്ഥന്മാർ മിക്കവാറും ഡിപ്പാർട്ടുമെൻറു് മേലധികാരികളാണു്. അങ്ങനെയുള്ള ഉദ്യോഗത്തിനു പല വിദഗ്ദ്ധന്മാരേയും നിയമിക്കേണ്ടിവരും എന്നുള്ളതുകൊണ്ടു് ആ അധികാരം ഗവണ്മെൻറിനുതന്നെ ഒഴിച്ചുവയ്ക്കേണ്ടതാണു്. ദിവാൻജിയെ സ്റ്റാഫ്സെലക്ഷൻബോർഡുവേണം നിയമിക്കാൻ എന്നു പറയുന്നതു് ശരിയല്ലല്ലോ. ഞാൻ ഇതിൽ ൫൦൦ രൂപാക്കുമേൽ എന്നു പറഞ്ഞിരിക്കുന്നതു് ഒരു തോതു നിശ്ചയിച്ചു എന്നേയുള്ളു. അതു് ഈ കൌൺസിലിൻെറ യുക്തംപോലെ ഭേദപ്പെടുത്തുന്നതിനു് എനിക്കു വിരോധമില്ല.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): സ്റ്റാഫ്സെലക്ഷൻ ബോർഡിൻെറ ഫങ്ക്ഷൻ എന്താണെന്നു വ്യക്തമായി പറഞ്ഞാൽ കൊള്ളാം. അതായതു് ഒരു ഡിപ്പാർട്ടുമെൻറിൽ ഒരു ഒഴിവു വരുമ്പോൾ ഒരാളിനെ നിയമിക്കാനുള്ള അധികാരം ആ ഡിപ്പാർട്ടുമെൻറിനു ഇല്ലാതെ സ്റ്റാഫ്സെലക്ഷൻ ബോർഡിനാണോ കൊടുക്കേണ്ടതു് എന്നു വ്യക്തമായി പറഞ്ഞാൽകൊള്ളാം?

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery cum Peermade*): സ്റ്റാഫ്സെലക്ഷൻ ബോൎഡ് ഒരു എലക്റ്റഡ്നാൺ അഫിഷ്യൽ മെജാറിട്ടിയോടുകൂടി ഗവണ്മെൻറു രൂപീകരിക്കണം എന്നാണു ഞാൻ ഉദ്ദേശിക്കുന്നതു്. അടുത്ത പ്രമേയത്തിനു ഞാൻ അയച്ചിട്ടുള്ള ഭേദഗതിയിൽ ഇതു കുറെക്കൂടി വ്യക്തപ്പെടുത്തിയിട്ടുണ്ടു്. അടുത്തുവരാൻപോകുന്ന രണ്ടു പ്രമേയവും ഏതാണ്ടു് സാമ്യമുള്ള വിഷയങ്ങളാകയാൽ അവയെല്ലാം ഒന്നിച്ചു് വാദപ്രതിവാദം നടത്തുന്നതാണു് നല്ലതെന്നു എനിയ്ക്കു തോന്നുന്നു. ഒരു സ്റ്റാഫ്സെലക്ഷൻബോഡ് ഏർപ്പെടുത്തി മാസംതോറുമോ അല്ലെങ്കിൽ മൂന്നു മാസത്തിൽ ഒരിയ്ക്കലോ അവരുടെയോഗം കൂടി ഉദ്യോഗത്തിനുള്ള അപേക്ഷകന്മാരുടെ ഒരു ലിസ്റ്റെടുത്തു് ആ ലിസ്റ്ററു ക്രമത്തിനു ഉദ്യോഗങ്ങൾനൽകണം. അതിൻെറ ഡീറെറയിൽസ് എല്ലാം ഇപ്പോൾ എനിയ്ക്കു പറയാൻ കഴിയുമായിരുന്നു എങ്കിൽ ഇങ്ങനെ ഒരു പ്രമേയംതന്നെ ഞാൻ അവതരിപ്പിക്കുമായിരുന്നു. അതിൻെറ ഡീറെറയിലെല്ലാം ഗവണ്മെൻറും സ്റ്റാഫ്സെലക്ഷൻബോഡും കൂടി ആലോചിച്ചു

[Mr. L. R. Raja Raja Varma Koil Tampuran.]

ചെയ്യേണ്ടതാണ്. ഇതുപോലെ ഒരു ബോഡ് മദ്രാസിൽ ജോലിചെയ്തിരുന്ന എന്നും അടുത്തകാലത്ത് അത് എടുത്തുകളഞ്ഞു എന്നും ഞാൻ കേട്ടു. ഇപ്പോഠം ആ ബോഡ് ഉണ്ടോ എന്ന എനിയ്ക്ക നിശ്ചയമില്ല. ഏതായാലും ഒരു വലിയസംസ്ഥാനത്തുള്ള നിയമനങ്ങളെ സംബന്ധിച്ച് ഇങ്ങനെ ഒരു ബോഡ് ജോലിചെയ്തുവന്നിരുന്ന എന്ന് എനിക്കറിയാം.

PRESIDENT: നിങ്ങഠം മി. ഇട്ടീച്ചൻ ഭേദപ്പെടുത്തിയ പ്രമേയത്തെ സംബന്ധിച്ചാണോ പറയുന്നത്?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ഞാൻ മി. കുര്യാക്കോസിൻെറ പ്രമേയത്തെപ്പററിമാത്രമാണ് സംസാരിയ്ക്കുന്നത്.

PRESIDENT: ആദ്യത്തെ പ്രമേയമല്ല കൗൺസിലിൻെറ ആലോചനയിൽ ഇരിക്കുന്നത്. മി. കുര്യാക്കോസ് അവതരിപ്പിച്ചിട്ടുള്ള പ്രമേയത്തിന്മേ മി. ഇട്ടീച്ചൻ ഒരു ഭേദഗതി ഹാജരാക്കി. അതിനെ സ്വീകരിച്ചിട്ടുണ്ട്. ഇങ്ങനെ ആ ഭേദഗതിയോടുകൂടിയ ഒരു പ്രമേയമാണ് സഭാമുമ്പാകെ ഇരിക്കുന്നത്.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery cum Peermade*): ആ ഭേദഗതി പ്രമേയ കത്താവുമാത്രമേ സ്വീകരിച്ചിട്ടുള്ളു. പ്രമേയകത്താവുമാത്രം സ്വീകരിച്ചതു ഈ കൗൺസിൽ സ്വീകരിച്ചതായിട്ടു വരുന്നതല്ല.

PRESIDENT: മി. കുര്യാക്കോസിൻെറ പ്രമേയം സ്വീകരിക്കണോ ഇല്ലയോ എന്നുള്ളതു് പിന്നീട നിശ്ചയിക്കേണ്ടതാണ്. ഇപ്പോഠം മി. ഇട്ടീച്ചൻെറ ഭേദഗതിയോടുകൂടിയ പ്രമേയമാണ് ഇവിടെയിരിക്കുന്നതു്. ആ ഭേദഗതി മി. കുര്യാക്കോസ് സ്വീകരിക്കയും ചെയ്തു.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery cum Peermade*): എല്ലാ ഭേദഗതിയും കൂടി ഒന്നിച്ച ഡിസ്കസ് ചെയ്താൽ നന്നായിരിക്കുമെന്ന ഞാൻ ആദ്യമെ അഭിപ്രായപ്പെട്ടു. ഇപ്പോഠം മി. കുര്യാക്കോസിൻെറ പ്രമേയം അവതരിപ്പിച്ച സെക്കൻഡുചെയ്തിരിക്കയാണ്. മി. ഇട്ടീച്ചൻെറ ഭേദഗതി ഈ കൗൺസിൽ ഇനിയും അനുവദിച്ചിട്ടില്ല. അതുകൊണ്ടു ഈ പ്രമേയത്തിനുള്ള ഭേദഗതികളെല്ലാം കൂടി ഒരുമിച്ച വാദപ്രതിവാദം നടത്തുകയും ഒടുവിൽ പ്രത്യേകം പ്രത്യേകം വോട്ടിനിടുകയും ചെയ്യണമെന്നാണ് എൻെറ അഭിപ്രായം. അങ്ങനെ ഇതിനുമുമ്പുചെയ്തിട്ടുണ്ട്.

മി. കുര്യാക്കോസിനുതന്നെ ഈ പ്രമേയം പിൻവലിച്ചു് ഈ ഭേദഗതികൊണ്ടു വരാമല്ലൊ. മുമ്പിൽക്കൂട്ടി ഈ നോട്ടീസ് കണ്ടു ഭേദഗതി ഹാജരാക്കാൻ നിവ്വാഹമില്ല.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar-Vakil*): It seems to me the resolution as well as all the amendments may be discussed together. At the time of putting the question to vote they may be put in a convenient order so as to bring out the sense of the House.

PRESIDENT: That is, the resolution must be discussed independently of the amendments, and all the amendments must be discussed and judged on their merits.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): When the amendments come to the voting stage they may be put separately.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*). ഈ പ്രമേയം ബാലട്ടു ചെയ്തുകിട്ടിയതാണു്. ഇതു് ഇവിടെ ഹാജരാക്കാൻ പോകുന്നു എന്നു അജൻറാകൊണ്ടുകാണാം. അങ്ങനെയുള്ള പ്രമേയത്തിനു ഓരോരുത്തർ അയച്ച അമെൻറുമെൻറു സ്വീകരിച്ചു നോട്ടീസ് കൊടുത്തിട്ടുണ്ടു്. അങ്ങനെ മുമ്പിൽക്കൂട്ടി നോട്ടീസു കൊടുത്തിട്ടുള്ളതുകൊണ്ടു വന്നിട്ടുള്ള ഒരു ഭേദഗതിയാണ് മി. ഇട്ടീച്ചൻ ഇവിടെ അവതരിപ്പിച്ചതു്. അതിനെ ഞാനും അനുകൂലിക്കയും ചെയ്തു. ആ ഭേദഗതി പ്രമേയത്തിൽ ചേക്കുന്നതു സമ്മതമാണെന്നു ഞാനും പറഞ്ഞുകഴിഞ്ഞു. എൻെറ പ്രമേയത്തെ അനുകൂലിച്ചയാളും അതു സമ്മതിച്ചുകഴിഞ്ഞു. ഈ കൌൺസിലിലും അതു സമ്മതിച്ചുകഴിഞ്ഞു.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): കൌൺസിലിൻെറ സമ്മതം ചോദിച്ചുവോ?

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): കൌൺസിലിൻെറ സമ്മതം ചോദിക്കേണ്ടതു ഞാനല്ല. അദ്ധ്യക്ഷനാണ്. എന്നാൽ കൌൺസിൽ വിസമ്മതം കാണിച്ചിട്ടില്ല.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): I rise to a point of order. Under Standing Order 50 a member who has moved a resolution shall not withdraw the same except by leave of the Council. The leave of the Council has not been given. Therefore Mr. A. C. Kuriakose is not in order in withdrawing his resolution.

PRESIDENT: മി. രാജരാജവമ്മ, നിങ്ങളുടെ ഭേദഗതിയെപ്പററി നിങ്ങൾക്കെന്താണ് പറയുവാനുള്ളതു്?

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): ഞാൻ ഭേദഗതിയെപ്പററി പറഞ്ഞുകഴിഞ്ഞു. അതിനു എതൃപ്പുണ്ടെങ്കിൽ അപ്പോൾ കൂടുതൽപറയാം. കഴിഞ്ഞതവണ ഈ പ്രമേയത്തെപ്പററി വേണ്ടിടത്തോളം വിമർശനം കഴിച്ചതാണ്.

MR. P. S. MAHOMED (*Nominated*): Standing Order No. 24 says

"An amendment must be relevant to and within the scope of the subject matter of the clause or motion to which it relates.

An amendment may not be moved which has merely the effect of a negative vote."

മി. കുര്യാക്കോസിൻെറ പ്രമേയം ഉദ്യോഗനിയമന വിഷയത്തിൽ അസമത്വസമുദായക്കാർക്കു കൂടുതൽ പ്രിഫ്റൻസു കൊടുക്കണമെന്നുള്ളതാണ്. എന്നാൽ മി. കോയിത്തമ്പുരാൻെറ ഭേദഗതി, ഇപ്പോൾ ഉദ്യോഗ നിയമനം നടത്തിക്കൊണ്ടിരിക്കുന്ന സ്ഥാനത്തെതന്നെ മാററി വേറൊരു പുതിയ സ്ഥാനമുണ്ടാക്കി അവിടെ നിന്നും ഉദ്യോഗ നിയമനം നടത്തണമെന്നാണ്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): മി. കുര്യാക്കോസിൻെറ പ്രമേയവും, മി. കോയിത്തമ്പുരാൻെറ ഭേദഗതിയും രണ്ടും ഉദ്യോഗ നിയമനത്തെ സംബന്ധിച്ചാണല്ലോ.

MR. P. S. MAHOMED (*Nominated*): അതിനെപ്പററി പറയാം. മി. കുര്യാക്കോസിൻെറ പ്രമേയം അസമത്വ സമുദായക്കാർക്കു കൂടുതൽ പ്രിഫ്റൻസ് കൊടുക്കണമെന്നാണ്. നേരെമറിച്ച് മി. കോയിത്തമ്പുരാൻെറ ഭേദഗതി അസമത്വ സമുദായത്തെപ്പററിയുള്ള ആലോചന കൂടാതെ ഒരു ലിസ്റ്റ് ശരിപ്പെടുത്തണമെന്നാണ്.

Mr. P. S. Mahommed in support of his argument read from the resolution of Mr. A. C. Kuriakose beginning with the words belonging to a particular community, etc.

MR. REVATI NAL RAMAVARMA RAJA (*Edavagai*): എന്നല്ലല്ലോ പറഞ്ഞത്.

MR. P. S. MAHOMED (*Nominated*): സാമുദായികമായ യാതൊരവകാശങ്ങളേയും മുൻനിർത്തി ചെയ്യരുതെന്നാണ്. അത് ഈ പ്രമേയത്തിൻെറ ഉദ്ദേശത്തിനു വിപരീതമാണ്.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): പ്രമേയത്തിൻെറ ഉദ്ദേശം അതൊന്നു മാത്രമാണോ?

MR. P. S. MAHOMED (*Nominated*): അതുതന്നെയാണ് പ്രധാനമായ ഉദ്ദേശം.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*) : ഈ പ്രമേയത്തിൽ രണ്ടു ഭാഗമാണുള്ളതു്. അതിൽ എന്റെ ഭേദഗതി ആദ്യത്തെ ഭാഗത്തെ സംബന്ധിക്കുന്ന ഒന്നാണു. അതായതു് ഉദ്യോഗ നിയമനത്തിനു് ഒരു വ്യവസ്ഥയുണ്ടാകണം. മേലുദ്യോഗസ്ഥന്മാരുടെ ഇഷ്ടപ്രകാരം ഓരോരുത്തരെനിയമിക്കാൻ പാടില്ല. എവിടെയെങ്കിലും ഒഴിവുവരുമ്പോൾ നോട്ടീസ് പരസ്യപ്പെടുത്തി അപേക്ഷകരെ ഇൻവയിററ് ചെയ്യണം; ഇത്രയും ഒന്നാമത്തെഭാഗം. രണ്ടാമത്തെഭാഗം ഏതുതരത്തിലാണു് ഉദ്യോഗം നൽകേണ്ടതെന്നുള്ളതിനെപ്പററിയാണു്. ഇതിനാണു് ഞാൻ ഭേദഗതികൊണ്ടുവന്നിട്ടുള്ളതു്. അതുകൊണ്ടു് ഇതു റസല്യൂഷന്റെ ഭേദഗതിയല്ല എന്നുപറയുന്നതു ശരിയല്ല. ഇതിൽ ആദ്യത്തെഭാഗം മുഴുവനും സമ്മതിക്കുന്നു. രണ്ടാമത്തെ ഭാഗത്തിനു ഒരു നിവൃത്തിമാർഗ്ഗം ഞാൻ നിർദ്ദേശിച്ചു എന്നേയുള്ളു.

MR. P. S. MAHOMED (*Nominated*): ഈ അമൻറുമെൻറു പ്രമേയപ്രയോക്താവിന്റെ ഉദ്ദേശത്തിനു വിപരീതമല്ലേ ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*) : അമൻഡുമെൻറു അങ്ങിനെയല്ലാതെവരാൻ തരമില്ലല്ലോ. അല്പ സ്വല്പമെങ്കിലും വിപരീതമാകാതെയിരിക്കാൻ നിവൃത്തിയില്ല.

PRESIDENT : മി. കുര്യാക്കോസ്, പായിൻറ് ആഫ് ആർഡറിനെപ്പററി നിങ്ങൾക്കുവല്ലതും പറയുവാനുണ്ടോ?

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*) : എന്റെ പ്രമേയത്തിന്റെ ഉദ്ദേശത്തെ സ്പർശിക്കാതെ അദ്ദേഹം ഉദ്യോഗനിയമനത്തിനായി ചില പദ്ധതികൾ കൊണ്ടുവരികയാണു് ചെയ്തിട്ടുള്ളതു്. അതു എന്റെ പ്രമേയത്തോടു യാതൊരു ബന്ധവുമില്ല. അതിനാൽ ഇതു നോട്ടീസുകൊടുത്തു് പ്രത്യേകം ഒരു പ്രമേയരൂപത്തിൽ കൊണ്ടുവരേണ്ടതാണു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : മെമ്പറുടെ പ്രമേയത്തിലും ചില പദ്ധതികളല്ലേ അടങ്ങിയിരിക്കുന്നതു്?

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*) : അല്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : പരസ്യംചെയ്തു അപേക്ഷകന്മാരെ ക്ഷണിച്ചു വരുത്തണമെന്നും മററുമുള്ളതെല്ലാം ഒരു പദ്ധതിയല്ലേ?

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): അല്ല. അമെൻഡുമെൻറിൽ ആ ഭാഗം തൊട്ടില്ലാഎന്നാണ് അദ്ദേഹം പറയുന്നത്. ആ അമെൻറുമെൻറ് ഒരു അമെൻറുമെൻറിൻെറ രൂപത്തിൽ സ്വീകരിക്കാൻ പാടില്ല. ഇതിൽ കൂടുതലായിട്ട് എനിക്കൊന്നും പറയാനില്ല.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*) : ഈ സംഗതിയെപ്പററി എനിക്കും രണ്ടു വാക്കു പറയാനുണ്ട്. മി. പി. എസ്. മഹമ്മദ് പറയുന്നത് ഈ ഭേദഗതി പ്രമേയത്തെ സംബന്ധിക്കുന്നതല്ല എന്നാണ്. എന്നാൽ ഇതു് പ്രമേയത്തെ സംബന്ധിക്കുന്ന ഒന്നുതന്നെയാണ്. മി. കുര്യാക്കോസിൻെറ പ്രമേയത്തെ രണ്ടുഭാഗമായി എൻെറ സ്നേഹിതൻ മി. രാജരാജവർമ്മ കോയിത്തമ്പുരാൻ ഭാഗിക്കാമെന്നു പറഞ്ഞു. അതിൽ ഒന്നു ഗവണ്മെണ്ടു ചെയ്യേണ്ട കൃത്യം—അതായതു പരസ്യം പ്രസിദ്ധപ്പെടുത്തി അപേക്ഷകന്മാരെ വരുത്തി അതിൽ അസമത്വസമുദായക്കാൎക്കു പ്രാധാന്യം കൊടുക്കണമെന്നുള്ളതാണ്. രണ്ടാംഭാഗം ഒരു സ്റ്റാഫ് സിലക്ഷൻ ബോർഡുണ്ടാക്കി അവർ വേണം നിയമനം നടത്താൻ എന്നുള്ളതാണ് ഭേദഗതി. അതു പ്രമേയത്തോടു സംബന്ധമുള്ളതു തന്നെയാണ്.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*) മി. രാജരാജവർമ്മ കോയിത്തമ്പുരാൻ നോട്ടീസ് പരസ്യംചെയ്യണമെന്നുള്ള ഭാഗത്തെ സ്പർശിക്കുന്നില്ല എന്നു പറഞ്ഞതായിട്ടറിയാമോ ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*) : ഞാൻ ഇങ്ങിനെയാണ് ധരിച്ചതു്.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*) : ആദ്യത്തെ പ്രമേയരൂപത്തിൽ നോട്ടീസ് പരസ്യംചെയ്യണമെന്നു പറഞ്ഞിട്ടുള്ളതിൻെറ ഉദ്ദേശംതന്നെ അസമത്വസമുദായക്കാൎക്ക് കൂടുതൽ പ്രാതിനിധ്യം കൊടുക്കാനാണ് എന്നു മനസ്സിലാകുന്നില്ലേ?

MR. REVATINAL RAMAVARMA RAJA (*Edavagai*) : ആയിരിക്കാം.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*) : അങ്ങിനെയിരിക്കെ ഈ അമൻഡുമെൻറുകൊണ്ടു ഉദ്ദേശവ്യത്യാസം വരുന്നില്ലേ?

MR. REVATI NAL RAMAVARMA RAJA (*Edavagi*) : ഉദ്ദേശവ്യത്യാസം വരുന്നില്ല.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*) : അസമത്വസമുദായക്കാൎക്കു കിട്ടാത്തതുകൊണ്ടു മാത്രമല്ല,

ഗവൺമെന്റിൽനിന്നും അനീതി ചെയ്യുന്നുവെങ്കിൽ അതു പൊതുജനങ്ങൾ അറിയണമെന്നും കൂടി അർത്ഥമാക്കുന്നതോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*) : ഗവൺമെണ്ട് അനീതി ചെയ്യുന്നു എന്നു അർത്ഥമാക്കാൻ പാടില്ല. ഗവൺമെണ്ടുദ്യോഗസ്ഥന്മാർ പല അനീതികളും ചെയ്യുന്നു എന്നു അർത്ഥമാക്കാം.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*) : ഗവർമ്മെണ്ട് ഉദ്യോഗസ്ഥന്മാരുടെ അനീതിയെ സ്പർശിച്ചിട്ടില്ല. ഈ പ്രമേയം കൊണ്ടു വന്നിരിക്കുന്നതു്, എന്നു മെമ്പർ വായിച്ചുനോക്കിയാൽ മനസ്സിലാവുകയില്ലേ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*) : അതൊക്കെ ഓരോരുത്തർ വായിക്കുന്നതുപോലെയും അർത്ഥമാക്കുന്നതുപോലെയുമാണ്.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*) : പ്രമേയംതാവിന്റെ ഉദ്ദേശം എന്താണെന്നറിഞ്ഞുകൂടെയോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*) : ഞാൻ വായിച്ചു് അർത്ഥമാക്കിയതിനെപ്പറ്റി മാത്രമേ പറയുന്നുള്ളു.

അതുകൊണ്ടു് ഞാൻ മി. രാജരാജവർമ്മ കോയിത്തമ്പുരാന്റെ ഭേദഗതിയെ അനുകൂലിക്കുന്നു.

PRESIDENT : The point of order now raised is that the amendment now put forward by Mr. Raja Raja Varma is repugnant to the provisions of Standing Order No. 24 in that it absolutely negatives the intention of the mover of the resolution. The mover points out that his intention is clear from the wording of the resolution and that what he wants by the resolution is to see that the complaint regarding consideration not having been given to the qualified candidates of the several unrepresented communities, should be remedied and that he has brought forward the resolution only for that purpose ; while Mr. Raja Raja Varma says that the resolution as worded could be divided into two distinct parts and that it virtually proposes two distinct courses of action to be adopted in filling up vacancies in the future in the several departments of the State, the one being that a Notification should be published inviting applications for vacancies occurring in any department and the other being that, in filling up the vacancies after such applications have been invited, a fairer representation ought to be given to the communities hitherto not properly represented. I am not prepared to say that the contention now put forward by Mr. Raja Raja Varma is entirely baseless. Whatever may have been the object which the mover had in view, I think that the construction attempted to be put forward by Mr. Raja Raja Varma is not unfounded. I would therefore allow the amendment and see that a discussion is had on all the

[President.]

questions involved in the resolution and the amendment. A free discussion is allowed, the two parts being taken up thereafter for vote separately. In the discussion, these two parts may be dealt with independently and the discussion proceeded with; for, to my mind it cannot be said that such a construction is not possible at all. In support of the wholesome action directed to be taken now in this matter, I would refer to Standing Order No. 24 (7). It may not be clearly applicable but then there seems to have been precedent in regard to this matter in our Council for the course of action proposed to be adopted by me. Any member who desires to speak on the resolution may do so now.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : സർ, ഈ കൗൺസിലിൽ കുറഞ്ഞൊരു കാലമായി.........

PRESIDENT: Because these two parts are closely connected I will allow the discussion to proceed on both these parts together.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): അവകാശമായിട്ടു ഗണിച്ചു വാദിച്ചു കൊണ്ടുവരുന്ന സംഗതി ഇതു മാത്രമാണു്. വർഗ്ഗീയപ്രാതിനിധ്യം ഉദരപൂരണം ഇതുരണ്ടിനുമാണു് പ്രതിനിധികൾ പ്രാധാന്യം കല്പിച്ചിരിക്കുന്നതെന്നു പറയുന്നതിനു എനിക്കു ഒട്ടും ലജ്ജ തോന്നുന്നില്ല. എന്നാൽ ഇതിനു ഗവണ്മെന്റുത്തരവാദിയാണെന്നുള്ളതിനും തർക്കമില്ല. ഓരോ സമുദായത്തിനും അവരവർക്കു ആവശ്യമുള്ളതായ ആഹാരം കൊടുക്കണമെന്നു ഒരുഭാഗം വാദിക്കുന്നുണ്ടു്. എഴുത്തുപള്ളിപോലും കണ്ടിട്ടില്ലാത്ത മലംതോട്ടത്തുള്ളവർക്കു കൊടുക്കണമോ, അതല്ല ഭൂരിപക്ഷാഭിപ്രായമുള്ള വർഗ്ഗക്കാർക്കു കൊടുക്കണമൊ എന്നുമറ്റൊരു ഭാഗവും വാദിക്കുന്നുണ്ടു്. ഇങ്ങനെ ഉദ്യോഗനിയമന വിഷയം ഒരു വലിയ കുഴപ്പമായി തീർന്നിരിക്കുന്നു. ഒരുവലിയ സദ്യകഴിഞ്ഞാൽ സാധാരണ പട്ടികളുടെ ശബ്ദം വലിയ ഉച്ചത്തിൽ കേൾക്കുന്നതുപോലെ ഉള്ള ഒരു കുഴപ്പമായിട്ടാണു് ഈ മുറവിളിയെ സംബന്ധിച്ചു കൃഷിക്കാരുടെ പ്രതിനിധിയായ ഞാൻ നിരൂപണം ചെയ്യുന്നതു്. തിരുവിതാംകൂറിലുള്ള പൊതുജന പ്രതിനിധികൾ ആരും തന്നെ അവർക്കോ അവരുടെ ആളുകൾക്കോ ഉദ്യോഗം വേണമെന്നു ആശിക്കുന്നില്ല. പൊതുജനക്ഷേമത്തെ ഉദ്ദേശിച്ചു് ഗവണ്മെന്റിൽ നിന്നും ഉദ്യോഗസ്ഥന്മാരുടെ ശമ്പളത്തെക്കുറച്ചു് ഇറിഗേഷൻ മുതലായവകയ്ക്കു കൂടുതൽ പണം ചിലവാക്കുന്നപക്ഷം ഈമാതിരി ഒരു വിപത്തു ഈ നാട്ടിൽ ഉണ്ടാകുന്നതല്ല. അങ്ങനെ ചെയ്തിരുന്നുവെങ്കിൽ ഉദ്യോഗം സ്വദേശിക്കു കൊടുക്കണമോ വിദേശിക്കു കൊടുക്കണമോ, ജാതി അനുസരിച്ചു കൊടുക്കണമോ

മതം അനുസരിച്ചു കൊടുക്കണോ; ആണിനു കൊടുക്കണോ പെണ്ണിനു കൊടുക്കണോ; ക്രിസ്ത്യാനിക്കു കൊടുക്കണോ, ഹിന്ദുവിനു കൊടുക്കണോ; എന്നിങ്ങനെയുള്ള തക്കങ്ങളൊന്നും വരികയില്ലായിരുന്നു.

MR. A. C KURIAKOSE (*Minachil* cum *Devicolam*): അവകാശമുള്ളവക്കു കൊടുക്കുന്നതു കൊണ്ടു വിരോധമുണ്ടോ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ഇവിടെ ഏതെല്ലാം സമുദായക്കാരുണ്ടെന്നുള്ളതു സെൻസസ റിപ്പോർട്ടുവന്ന ശേഷം വേണം നിശ്ചയിക്കാൻ.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ഇപ്പോഴും നിലവിലിരിക്കുന്ന റിപ്പോർട്ടുകൊണ്ടു അതു നിശ്ചയിക്കാൻ നിവൃത്തിയില്ലേ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): നിവൃത്തിയില്ല. വേദമാണിക്കം എന്നൊരാൾ ഉദ്യോഗത്തിനുവേണ്ടി ഹിന്ദു നാടാനാണെന്നു പറയുന്നുണ്ട്. അതുപോലെതന്നെ ഒരു നായർ ഉദ്യോഗത്തിനുവേണ്ടി ഒരു അരയസ്ത്രീയെ കല്യാണം കഴിക്കാമെന്നും വിചാരിക്കുന്നു.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ഉദ്യോഗം കൊടുക്കുന്നതിനും വിവാഹത്തിനുമായിട്ടു യാതൊരുബന്ധവുമില്ലെന്നറിയാമോ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ധാരാളമുണ്ട്. ചിലരുടെ മനഃസ്ഥിതി അങ്ങിനെയും ആയിരിക്കും.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ഈ അവകാശംതന്നെയും ഗവണ്മെൻറു നിശ്ചയിച്ചിട്ടുള്ള പരീക്ഷായോഗ്യതയുണ്ടെങ്കിൽ കൊടുത്താൽ മതി എന്നു പ്രമേയത്തിൽ വ്യക്തപ്പെടുത്തിയിട്ടുള്ളതായി അറിയാമോ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ഏതായാലും ഞാൻ നിങ്ങളുടെ പ്രമേയത്തെ അനുകൂലിക്കുന്നില്ല. റവന്യൂ ഡിപ്പാർട്ടുമെൻറിൽ നായന്മാർ കൂടുതലാണെന്നും സ്കൂൾഡിപ്പാർട്ടുമെൻറിൽ ബ്രാഹ്മണരും ക്രിസ്ത്യാനികളും കൂടുതലാണെന്നും P. W. D. യിൽ മുഴുവൻ ബ്രാഹ്മണരാണെന്നും കൺട്രാക്ട് കൊടുക്കുന്നതിൽ ആ ഉദ്യോഗസ്ഥൻെറ ജാതിക്കാരെ നോക്കുന്നു എന്നും മററും പല കുഴപ്പങ്ങളും കേൾക്കുന്നുണ്ട്. റവന്യൂഡിപ്പാർട്ടുമെൻറിൽ ഇനി ക്രിസ്ത്യാനികൾക്കുമാത്രമേ ഉദ്യോഗംകൊടുക്കാൻ പാടൊള്ളു എന്ന ഒരുത്തരവുള്ളതായും കേൾക്കുന്നു. കുറ്റം്വക,നാ

[Mr. T. C. Kesava Pillai.]

ടാർ തുടങ്ങിയ ചിലസമുദായക്കാൎക്കു എക്സൈസ്ഡിപ്പാർട്ടുമെൻറിൽ ശിപായിജോലികൊടുക്കണമെന്നു പലതവണയും ഞാൻആവശ്യപ്പെട്ടിട്ടുണ്ടു്.

റവന്യൂഡിപ്പാർട്ടുമെൻറിൽ ക്രിസ്ത്യാനികൾക്കു ഉദ്യോഗം കൂടുതൽ കൊടുക്കാമെന്നു ഒരു കട്മോഷനിൽ സമ്മതിച്ചിട്ടുള്ളതായി കൌൺസിൽ പ്രൊസീഡിംഗ്സ് ൧൮-ാം വാല്യത്തിൽ കാണുന്നുണ്ടു്.

ഏതായാലും ഈ വിപ്ളവഘട്ടത്തെ ഒരുവിധം ഒഴിച്ചുവയ്ക്കണമെന്നു വിചാരിക്കുന്നപക്ഷം മനസ്സിൽ ജാതി എന്നോ മതമോ എന്നോ യാതൊരു ഭാവഭേദവുമില്ലാതെ നിഷ്കളങ്കമായി പെരുമാറുന്ന ഡിപ്പാർട്ടുമെൻറുമേലധികാരികൾ ഈ സംഗതിയിൽ പ്രത്യേകം ശ്രദ്ധിക്കണം. ഇതിലേക്കു ഒരു സ്റ്റാഫ് സിലക്ഷൻബോർഡോ ഒരു കമ്മിററിയോ ഉണ്ടായിരിക്കണം. ജാതിതിരിച്ചും മതം തിരിച്ചും സ്ത്രീപുരുഷവ്യത്യാസം തിരിച്ചും ഓരോരുത്തൎക്കും ഇത്രയിത്രഎന്നു കണക്കാക്കി അതായതു് കത്തോലിക്കാസ്ത്രീകൾക്കിത്ര നായർസ്ത്രീകൾക്കിത്ര, ബ്രാഹ്മണസ്ത്രീകൾക്കിത്ര, തോവളതാലൂക്കിനിത്ര, പറവൂർതാലൂക്കിനു ഇത്രഎന്നിങ്ങനെ കണക്കാക്കിഉദ്യോഗവിതരണം ചെയ്യണമെന്നും മററുമുള്ള സംഗതികൾ ഈ കൌൺസിലിൻെറ വിലയേറിയ സമയത്തെകളയാതെ തല്ക്കാലം നിൎത്തിവെച്ചാൽകൊള്ളാം. ധൃതിയായിട്ടുവേണമെന്നുവിചാരിക്കുന്നപക്ഷം ഞാൻ മി. രാജരാജവൎമ്മകോയിത്തമ്പുരാൻെറ ഭേദഗതിയെ അനുകൂലിക്കുന്നു.

MR. P. S. MAHOMED (*Nominated*): സർ, എൻെറ സ്നേഹിതൻ മി. കേശവപിള്ളയുടെ ഭാഷയിൽതന്നെ പറയുന്ന ഈ പട്ടിയുടെകഥ മലയാളിമെമ്മോറിയൽ കാലംമുതൽ തുടങ്ങീട്ടുള്ളതാണെന്നുള്ള സംഗതി ഓൎക്കുമ്പോൾ ഇതു കുറെ അധികം കാലമായിട്ടു നടന്നുകൊണ്ടിരിക്കുന്ന ഒരു സംഗതിയാണെന്നു മനസ്സിലാകും. എന്നുമാത്രമല്ല സാമുദായികമായ അവകാശങ്ങളെ ഗവൺമെൻറു് ഒരുവിധത്തിൽ ഗണിച്ചുവരുന്നുണ്ടു എന്നുള്ള സംഗതിയും വിസ്മരിക്കാൻ പാടുള്ളതല്ല. ഓരോ സമുദായങ്ങളുടെ അവകാശങ്ങൾ വേണ്ടവിധത്തിൽ ലഭിക്കണമെന്നു വാദിക്കുന്ന ഒരു പ്രമേയം എൻെറ സ്നേഹിതൻ പറയുന്ന ഭാഷയിൽ തള്ളിക്കളയാവുന്ന ഒന്നല്ല.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ഈ അവകാശം എന്നുപറഞ്ഞതു് ഓരോ സമുദായത്തിനാണോ, അതല്ല സമുദായത്തിലെ ഓരോ അംഗങ്ങൾക്കാണോ?

MR. P. S. MAHOMED (*Nominated*): അതു പ്രമേയംകൊണ്ടുതന്നെകാണാൻ സാധിക്കും. ഓരോ സമുദായത്തിലേയും ജനസംഖ്യയനുസരിച്ചു അതിൽ യോഗ്യതയുള്ളവൎക്കു ഉദ്യോഗം കിട്ടിയാൽമതിയെന്നാണു പ്രമേയം.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): തിരുവിതാംകൂറിൽ ഇത്രസമുദായമുണ്ടെന്നു ഇതുവരെ തീരുമാനിച്ചിട്ടുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*): ഗവൎമ്മെണ്ടു സ്റ്റേററുതന്നെ പലപ്പോഴും ഇതിനെസംബന്ധിച്ചു പട്ടികചോദിച്ചു് അവ മേശമേൽ വച്ചിട്ടുണ്ടു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): ഞാൻ ഒരു പട്ടികയും ചോദിച്ചിട്ടില്ല.

MR. P. S. MAHOMED (*Nominated*: ഇക്കൂട്ടത്തിൽ സ്റ്റേററിനെപ്പോലെയുള്ള മററു പലരും ചോദിച്ചിട്ടുണ്ടു്.

MR. MATTHEW MURIKKAN (*Vaikam*): തിരുവിതാംകൂറിലുള്ള സമുദായങ്ങളുടെ ഒരു പട്ടിക വരുത്തുന്നതു പ്രയാസമാണോ?

MR. P. S. MAHOMED (*Nominated*): ഒരു പ്രയാസവുമില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): ഈ കൌൺസിലിൽ തരുന്ന പട്ടിക തെററാണെന്നു പലപ്പോഴും പട്ടിക ആവശ്യപ്പെട്ട മെമ്പർമാർതന്നെ പറഞ്ഞിട്ടുള്ളതായി കേട്ടിട്ടില്ലേ?

MR. P. S. MAHOMED (*Nominated*): ഇല്ല. ഇങ്ങനെ തിരുവിതാംകൂറിൽ പലസമുദായക്കാരും ഉണ്ടെന്നും ഈ വഴക്കു് ആരംഭിച്ചിട്ടു വളരെ കാലമായിഎന്നും ഈ അവകാശം ചിലസമുദായത്തു വകവച്ചുകൊടുത്തിട്ടുണ്ടെന്നും ശരിയായി അവകാശം ലഭിച്ചിട്ടില്ലാത്ത സമുദായക്കാരാണു് ഈ മുറവിളികൂട്ടുന്നതു്എന്നും ഓൎക്കുമ്പോൾ ഇതൊരു പുതിയ സംഗതിയല്ല എന്നു മനസ്സിലാകും.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ഈ പ്രമേയം ആളുകളെ അന്യസമുദായത്തിൽ ചേരുന്നതിനു് ഒരു പ്രേരകമായി കൂടിവരികയില്ലേ?

MR. P. S. MAHOMED (*Nominated*): മററുസമുദായക്കാൎക്കു ധാരാളം ഉദ്യോഗം ലഭിച്ചുകൊണ്ടിരിക്കയും അന്നു അസമത്വം അനുഭവിക്കുന്ന സമുദായക്കാൎക്കു കിട്ടാതെയിരിക്കയും ചെയ്തുകൊണ്ടിരുന്നകാലത്തു ഇങ്ങനെ സമുദായം മാറിപ്പോകുന്നതിനെപ്പററി ആരും ഭയപ്പെട്ടില്ല. അസമത്വസമുദായക്കാൎക്കു അവരുടെ ഓഹരിലഭിക്കുമ്പോൾ ഉയൎന്നസമുദായ

[Mr. P. S. Mahomed.]

ക്കാർ കീഴ്പോട്ടു വരുന്നുവെങ്കിൽ അതു അവരുടെ സമുദായാഭിമാനത്തിന്റെയും മതാഭിമാനത്തിന്റെയും ദോഷം മാത്രമാണ്. അല്ലാതെ അതു ഈ പ്രമേയത്തിന്റെ കുററമല്ല.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): മതത്തെ സംബന്ധിച്ചല്ല പറഞ്ഞത്.

MR. P. S. MAHOMED (*Nominated*): ഞാനും സമുദായത്തെ സംബന്ധിച്ചുതന്നെയാണ് പറയുന്നത്.

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): ഉദ്യോഗം അത്രമാത്രം പ്രാധാന്യമുള്ളതായിട്ടു കരുതുന്നില്ലെങ്കിൽ എല്ലാ സമുദായക്കാർക്കും ഉദ്യോഗം കൊടുക്കണമെന്നു പറയുമ്പോൾ അതിൽ വൈമനസ്യം കാണിക്കുന്നതിന്റെ അർത്ഥമെന്താണ്?

MR. P. S. MAHOMED (*Nominated*): ഉദ്യോഗം അത്ര പ്രധാനമല്ല എന്നു വല്ലവരും പറയുന്നുണ്ടെങ്കിൽ അതു് അവരുടെ മനസ്സാക്ഷിക്കു എതിരായിട്ടാണ് പറയുന്നത്. ഉദ്യോഗം വളരെ പ്രധാനമായിട്ടുള്ളതാണ്. സാമ്പത്തികമായും രാഷ്ട്രീയമായുമുള്ള ഐശ്വര്യത്തെകാംക്ഷിക്കുന്നവർ ഉദ്യോഗം പ്രധാനമായിട്ടു കരുതും.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ഉദ്യോഗം പ്രധാനമല്ല എന്നു ആരെങ്കിലും ഇവിടെ പറഞ്ഞോ?

MR. P. S. MAHOMED (*Nominated*): അങ്ങിനെ ആരും പറയുകയില്ലെന്നാണ് എന്റെ വിശ്വാസം.

അതുകൊണ്ടു ഇങ്ങിനെയുള്ള ഒരു വിഷയത്തെ സംബന്ധിച്ചു വാദപ്രതിവാദം നടത്തുമ്പോൾ എന്റെ സ്നേഹിതൻ പറഞ്ഞമാതിരിയുള്ള ഒരു സ്വരമല്ല ഇവിടെ പുറപ്പെടുവിക്കേണ്ടതു്. അങ്ങിനെയുള്ള ഒരു സ്വരം എന്റെ സ്നേഹിതൻ പറഞ്ഞതുപോലെ പരിഷ്കാരം ഇന്നതാണെന്നറിയാത്ത കൃഷിക്കാർക്കും പാടങ്ങളിൽ നില്ക്കുന്നവർക്കും മാത്രമേ മനസ്സിലാക്കാൻ സാധിക്കുകയുള്ളൂ.

മി. തമ്പുരാൻ അവതരിപ്പിച്ച ഭേദഗതി ഒരിക്കലും അനുവദിക്കാൻ പാടുള്ളതല്ല. ഉദ്യോഗദാനവിഷയത്തിൽ ഗവണ്മെന്റിനുള്ള അധികാരത്തെ നശിപ്പിക്കണമെന്നുകൂടി ആ ഭേദഗതികൊണ്ടു വരുന്നുണ്ടു്.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): അടുത്തപ്രമേയത്തിനു മെമ്പർ ഭേദഗതി അയച്ചിട്ടുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*): അതു് പ്രത്യേകം ഒരു പ്രമേയമാണു്.

MR. L. R RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ഗവണ്മെൻറിൻെറ നിയമനത്തിൽ ശരിയാണെന്നു ബോധമുണ്ടെങ്കിൽ ഒരു സ്റ്റാഫ്സിലക്ഷൻ ബോർഡു വേണമെന്നു പറയുമോ?

MR. P. S. MAHOMED (*Nominated*): ഈ റെസല്യൂഷൻകൊണ്ടു ഗവണ്മെൻറിൻെറ അധികാരത്തെ എടുക്കണമെന്നു ഞാൻ ഉദ്ദേശിച്ചിട്ടില്ല.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagu*): ഗവണ്മെൻറിനുള്ള അധികാരം ഈ സ്റ്റാഫ് സിലക്ഷൻ ബോർഡുകൊണ്ടു എടുക്കുന്നുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*): ഉണ്ടു്. തിരഞ്ഞെടുക്കാനുള്ള അധികാരം ഗവണ്മെൻറിൽനിന്നും എടുക്കുന്നുണ്ടു്. അസമത്വസമുദായക്കാൎക്കു പ്രാധാന്യം കൊടുക്കണമെന്നാണു പ്രമേയം. ഭേദഗതി ഇന്നസമുദായമാണെന്നു കാണിക്കാതെ ഒരു സ്റ്റാഫ് സിലക്ഷൻ ബോർഡുണ്ടാക്കി അവരുടെ ലിസ്റ്റനുസരിച്ചു ഉദ്യോഗം കൊടുക്കണമെന്നാണു്. ഈ ഭേദഗതി സ്വീകാൎയ്യയോഗ്യമല്ല അതു അസമത്വസമുദായക്കാൎക്കു കൂടുതൽ ഉപദ്രവം ഉണ്ടാക്കുന്നതിനു മാത്രമാണു് അങ്ങിനെ പറയുന്നതു്. ഈ ബോർഡുതന്നെ ഇലക്റ്റഡ് മെംബൎമാരെക്കൊണ്ടു് നിറഞ്ഞിരിക്കണമെന്നാണ് പറയുന്നതു്. ആ സ്ഥിതിക്കു ആ ബോർഡിൽ ഭൂരിപക്ഷം അംഗങ്ങളുടെ സമുദായത്തിൽപെട്ടവൎക്കുമാത്രമെ ഉദ്യോഗം ലഭിക്കാൻ മാൎഗ്ഗമൊള്ളു. ഇപ്പോഴത്തെപ്പോലെ ഗവണ്മെൻറിനോടു പരാതി പറയുന്നതിനും നിവൃത്തിയില്ല. ഗവണ്മെൻറിനോടു പറഞ്ഞാൽ അതു ബോർഡ് ചെയ്തതാണെന്നു പറയും. അതുകൊണ്ടു ഞാൻ ഈ ഭേദഗതിയെ എതിൎക്കുന്നു.

MR. N. R. KRISHNAN (*Nominated*): എൻെറ സ്നേഹിതൻ മിസ്റ്റർ രാജരാജവൎമ്മകോയിത്തമ്പുരാൻ അവതരിപ്പിച്ചിട്ടുള്ള ഭേദഗതിയെ ഞാൻ എതിൎക്കുന്നു. അസമത്വസമുദായങ്ങൾക്കു ഉദ്യോഗസംബന്ധമായി ഇപ്പോഴുള്ള കുറവിനെ പരിഹരിക്കുന്നതിനു വേണ്ടിയാണു് മിസ്റ്റർ കയ്യാക്കോസ് അദ്ദേഹത്തിൻെറ പ്രമേയം ഈ സഭ മുമ്പാകെ അവതരിപ്പിച്ചിരി

[MR. N. R. Krishnan.]

കുന്നതു്. ആ പ്രമേയകർത്താവു ഉദ്ദേശിച്ചിട്ടുള്ള ഫലത്തെ പാടെ നശിപ്പിക്കത്തക്ക വിധത്തിലാണ് അതിനു ഒരു ഭേദഗതി ഇപ്പോൾ അവതരിപ്പിച്ചിട്ടുള്ളതു്. പ്രഥമദൃഷ്ടിയിൽ മിസ്റ്റർ കയ്യാക്കോസ അവതരിപ്പിച്ചിട്ടുള്ള പ്രമേയം ഒരു വർഗ്ഗത്തിനു പ്രത്യേകം ആനുകൂല്യം ചെയ്തുകൊടുക്കുന്നതിനു വേണ്ടി കൊണ്ടുവന്നിട്ടുള്ളതാണെന്നു തോന്നാൻ ഇടയുണ്ടു്. ഇന്നു ഉദ്യോഗത്തിനു നിശ്ചയിച്ചിരിക്കുന്ന തോതു വിദ്യാഭ്യാസയോഗ്യതയാണ്. അങ്ങിനെ വിദ്യാഭ്യാസയോഗ്യത സമ്പാദിക്കുന്നതിനു പോലും ഈ രാജ്യത്തെ പല സമുദായക്കാരേയും തടഞ്ഞു വച്ചിരുന്നു എന്നുള്ള കഥയും ഈ അവസരത്തിൽ സ്മരിക്കേണ്ടതാണ്. ഏതാനും കാലം വരെ എല്ലാ സമുദായക്കാർക്കും പാഠശാലകളിൽ പ്രവേശനം അനുവദിക്കപ്പെട്ടിരുന്നില്ല.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Chunganachery cum Peermade*): ഈ പ്രമേയം അങ്ങിനെയുള്ള സമുദായത്തെ കൂടി സംബന്ധിക്കുന്നതാണോ?

MR. N. R. KRISHNAN (*Nominated*): എനിക്കു പറയാനുള്ളതു മുഴുവനും പറഞ്ഞു തീരട്ടെ. പിന്നീടു ചോദ്യം ചോദിച്ചാൽ ഉത്തരം പറയാം. ഇങ്ങനെ ഉദ്യോഗത്തിനു ഏററവും ആവശ്യമായിരിക്കുന്ന വിദ്യാഭ്യാസം പോലും ചെയ്യുന്നതിനു യാതൊരു സൌകര്യവും ലഭിക്കാതെ അനേകം സമുദായക്കാർ ഈ രാജ്യത്തു കഴിഞ്ഞു കൂടേണ്ടതായിട്ടു വന്നിരുന്നു. അതിനു ശേഷം ഗവൺമെൻറിൻെറ കാരുണ്യാതിരേകം കൊണ്ടു ഏതാനും സ്കൂളുകൾ ഇവർക്കു തുറന്നു കൊടുത്തു. പത്തുപന്ത്രണ്ടു സ്കൂളുകൾ ഒഴിച്ചു ബാക്കി എല്ലാ സ്കൂളുകളിലും പ്രവേശനം നൽകി. ഇനിയും ഈ സമുദായക്കാർക്കു വിദ്യാഭ്യാസം സിദ്ധിക്കുന്നതിനുള്ള അവസരം പൂർണ്ണമായി കൊടുത്തിട്ടില്ല. ഇങ്ങനെ വളരെക്കാലം വിദ്യാഭ്യാസത്തിനു സൌകര്യം നൽകാതെയിരുന്നു. പിന്നീടു ഈ വിദ്യാഭ്യാസം സമ്പാദിച്ചുവരുന്ന സമുദായക്കാർക്കു അതിനു ശേഷവും ഗവൺമെൻറിൽ നിന്നു കിട്ടേണ്ട ന്യായമായ പ്രോത്സാഹനം ലഭിച്ചില്ലെങ്കിൽ അവരുടെ സ്ഥിതി എന്താണെന്നു സഭ തന്നെ തീർച്ചപ്പെടുത്തണം. ഈ രാജ്യത്തുള്ള പല ഡിപ്പാർട്ടുമെൻറുകളും ചില സമുദായക്കാർക്കായിട്ടു തിരിച്ചു വച്ചിരിക്കയാണ്. അങ്ങിനെയുള്ള ചില ഡിപ്പാർട്ടുമെൻറുകളെപ്പററി ഈ കൌൺസിലിൽ പറയാൻ പാടില്ലെങ്കിലും പേർ മാത്രം പറയുന്നതു കൊണ്ടു വിരോധമി

ല്ലെന്നു തോന്നുന്നു. നായർ പട്ടാളം എന്നു ഒരു വകുപ്പുണ്ടു്. അതിൽ നായന്മാർക്കല്ലാതെ വേറെ ആർക്കും അവകാശമില്ല. വിദേശികൾ പലരും അതിന്റെ മേലദ്ധ്യക്ഷന്മാരായിട്ടും സുബേദാർമാരായിട്ടും ഇരിക്കാൻ അനുവദിച്ചിട്ടുണ്ടു്.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : രാജ്യത്തിനു വേണ്ടി മരിച്ചതാരാണു്?

MR. N. R. KRISHNAN (*Nominated*) : എല്ലാ സമുദായത്തിൽ പെട്ടവരും മരിച്ചു.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : അതിനു റിക്കാർഡു് ഉണ്ടോ?

MR. N. R. KRISHNAN (*Nominated*): ഉണ്ടു്.

PRESIDENT : You are referring to a question of policy. It is better that you avoid it.

MR. N. R. KRISHNAN (*Nominated*): പല ഡിപ്പാർട്ടുമെന്റിലും എല്ലാ സമുദായക്കാരേയും പ്രവേശിപ്പിക്കാതെയിരുന്നു. റവന്യൂ ഡിപ്പാർട്ടുമെന്റിൽ ദേവസ്വം കൂടി യോജിച്ചിരുന്നതുകൊണ്ടു അവിടെയും പ്രവേശനമില്ലാതെയിരുന്നു. ഇപ്പോൾ ദേവസ്വം വകുപ്പിലും പ്രവേശനം ഇല്ലാതെയിരിക്കുന്നു. അതു കൊണ്ടു അസമത്വസമുദായക്കാർക്കു ഉദ്യോഗം കിട്ടത്തക്കവണ്ണമുള്ള തുറ തന്നെ വളരെ കുറവാണു്. ഉള്ള തുറകളിൽ തന്നെ വേണ്ട പ്രോത്സാഹനം കിട്ടാതെയിരുന്നാൽ അതു വളരെ സങ്കടവുമാണു്. അതിനാൽ ഇവരെ ഉദ്യോഗത്തിനു നിയമിക്കേണ്ടതു ഗവണ്മെന്റിന്റെ കടമയാണു്. അനേകം കാലമായി ഉദ്യോഗത്തിൽ പഴക്കവും തഴക്കവും ഉള്ള വർഗ്ഗക്കാർക്കു കൊടുത്ത ശേഷം ഇവർക്കു കൊടുക്കാമെന്നു പറയുന്നതു ശരിയല്ല. അതു കൊണ്ടു ഞാൻ ഈ പ്രമേയത്തെ അനുകൂലിക്കുകയും മിസ്റ്റർ രാജരാജവർമ്മ കോയിത്തമ്പുരാന്റെ ഭേദഗതിയെ പ്രതികൂലിക്കയും ചെയ്തുകൊള്ളുന്നു.

MR. MATTHEW MURIKKAN (*Vaikam*) : Sir, I also wish to speak a few words in connection with this question of representation in public service. Of course this matter has been discussed on the floor of this House on various occasions and as I gather from the proceedings of the Council itself our Government want the various Heads of Departments to show preference to unreprsented communities in the matter of public service and instructions have been issued to the various Heads of Departments from time to time for that purpose. Now Mr. Kuriakose in his resolution only makes a suggestion that in making appointments

[Mr. Mathew Murikkan.]

in future some preference should be given to the unrepresented communities and for the realisation of this object he makes certain suggestions which are matters of detail. Mr. Itteechan goes a little more into the detail and his amendment makes two particular suggestions. Mr. Kuriakose freely concedes that he is prepared to accept the amendment; and now comes our member from Changancherry with his suggestion of a Staff Selection Board. This was fiercely opposed by my friend Mr. Mahomed who said that the amendment cannot for a moment be entertained because it is inconsistent and it is an entirely independent point. Of course the President ruled and to that ruling we have to submit, that there is nothing in it repugnant to the rule which regulates the admission of resolutions. Anyhow to my mind it is an entirely independent point.

PRESIDENT: That would amount to discussing the ruling of the President upon the point of order.

MR. MATTHEW MURIKKAN (*Vaikam*): I submit to the ruling, stil I think I am at liberty to express my opinion.

PRESIDENT: That is questionable. The question as to whether it is an independent point or not has been decided by the Chair. You will not be in order to make your observations on that point.

MR. MATTHEW MURIKKAN (*Vaikam*): Certainly, I could have said more about the point if it were not for the fact that I submit to the ruling of the Chair. Anyhow the amendment suggested by Mr Raja Raja Varma appears to be a sort of remedy for the trouble suggested by Mr. Kuriakose. And what is the remedy? If we analyse the remedy it is nowhere. He suggested that a Board be appointed; but he does not say what should be the constitution of the Board. That is the most important thing. He says it must be an elected body.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Would the member concede that the election of the Staff Selection Board would in any way contribute to the successful solution of this problem?

MR. MATTHEW MURIKKAN (*Vaikam*): Certainly not. It depends upon various factors.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): സ്റ്റാഫ്സിലക്ഷൻ ബോർഡ് എങ്ങിനെയാണ് വേണ്ടതെന്നു പറയാമോ?

MR. MATTHEW MURIKKAN (*Vaikam*): I have something constructive about the Staff Selection Board and when coming to that question I will make the necessary suggestions.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know from the learned member if an elected Selection Board will not function properly?

MR. MATTHEW MURIKKAN (*Vaikam*): Certainly not. I am going to answer that point The member need not be anxious about it. I anticipated that question and I say that it will not satisfy my apprehension and that it will not work properly. Again, Mr. Raja Raja Varma does not say whether the members of the Board are to be elected by the Legislative Council or the Assembly. He does not say what would be the basis of the election?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Which is the least objectionable form of selection according to my friend?

MR. MATTHEW MURIKKAN (*Vaikam*): Election is at all times good.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Which is the least objectionable form or the most acceptable form of election according to my friend?

MR. MATTHEW MURIKKAN (*Vaikam*): I do not approve the suggestion made by Mr. Raja Raja Varma Koil Tampuran. Therefore it is I am exposing the defects therein. Only when I approve his suggestion that a Selection Board be accepted I should suggest the most desirable form the Board should take. Now I entirely disapprove of it. Many suggestions of this kind have come and gone. On passing I may say a word of explanation with reference to what my friend Mr. T. C. Kesava Pillai said, namely, that this cry for representation in public service is a cry for bread. I entirely disapprove of that suggestion. On the other hand, I say it is only an attempt on the part of the public to secure efficiency in the public service.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ഉദ്യോഗസ്ഥന്മാരുടെ ശമ്പളം കുറയ്ക്കുന്നതുകൊണ്ടു വിരോധമുണ്ടോ?

MR. MATTHEW MURIKKAN (*Vaikam*): I am not concerned with officers now. I am only concerned with representation in public service.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ശമ്പളം കൂടാതെ ഉദ്യോഗം സ്വീകരിക്കാൻ സ്നേഹിതന്നു സമ്മതമുണ്ടോ?

MR. MATTHEW MURIKKAN (*Vaikam*): I am not in favour of the suggestion that our Government should go in for men who are prepared to serve for nothing. We should get, of course, good men for good amount.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): Has the member any objection to have a competitive examination?

MR. MATTHEW MURIKKAN (*Vaikam*): These are unnecessary questions.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): മത്സരപരീക്ഷവച്ചാൽ പോരെ?

MR. MATTHEW MURIKKAN (*Vaikam*): I am only amazed at the question. That is the only answer I can give.

[Mr. Mathew Murikkan.]

Sir, instead of calling this cry for representation in public service an idle cry for bread, I would say it is an attempt on the part of the responsible citizens of the State to secure efficiency in public service. If I am asked how, I may say that the proper representation of all communities in service will ensure better efficiency; because, for example, in the Huzur Secretariat, if the members of the various communities are put in, it will exercise a healthy influence and all will turn out good work. That is how I view the question. It is therefore idle to say that the cry in regard to these representations in service is an idle one. By the way, I do not understand why should we be jealous of people who by honest work want to earn the bread. It should not be considered merely as an attempt for bread winning. Mr. T. C. Kesava Pillai again said that this matter may be postponed till the Census Report is received. It is also an idle suggestion; there is no necessity for waiting till then.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ജാതി തിരിച്ചു കൊടുക്കണമെന്നോ അതല്ലാ മതം തിരിച്ചു കൊടുക്കണമെന്നോ ഏതാണ് അഭിപ്രായം?

MR. MATTHEW MURIKKAN (*Vaikam*): These questions are only amusing.

MR. T. C. KESAVA PILLAI (*Kulkulam* cum *Vilavankod*): അതിന്റെ മാതൃക ഏതാണെന്നു പറഞ്ഞാൽ മതി.

MR. MATTHEW MURIKKAN (*Vaikam*): I will come to that afterwards. What I say is there is no meaning in adjourning the consideration of this resolution till the Census Commissioner sends his report. We have got recognised communities and we have various assurances given by the Government during the previous sessions of the Legislative Council. We know our Government have recognised this matter. Then, why should we wait till the Census Commissioner's report is received? If Government think that there is some difficulty in arriving at the different figures in regard to these communities why not a committee go into the matter? Let us come to some definite understanding.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ഇങ്ങനെ ഒരു ഭേദഗതി അടുത്ത പ്രമേയത്തിലും വരുത്തിയിട്ടുണ്ടെന്നറിയാമോ?

MR. MATTHEW MURIKKAN (*Vaikam*): I am at this resolution now I do not know what comes afterwards and what my friends may say in their speeches afterwards.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Will he be satisfied if a committee will go into the whole question?

MR. MATTHEW MURIKKAN (*Vaikam*): I would be quite satisfied.. But at the same time I may say that the Government should assure us that the question will be solved in a couple of months. If the Government want to have a committee appointed, that should be done at once. That is what I want. To my mind, the postponing of the solution of this question is calculated to do immense harm to the State. It is also likely to produce bad feelings between the various communities. If at all there is any important question to be considered by Government at this oment, it is this question. So I would support the resolution of Mr. Kuriakose as amended by Mr. Ittoop Itteechan. As regards the suggestion of my friend, Mr. Raja Raja Varma Koil Tampuran, I do not for a moment find it desirable or expedient to agree with that amendment.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): ഞാൻ മി. രാജരാജവർമ്മകോയിത്തമ്പുരാൻെറ ഭേദഗതിയെ ശക്തിയായി എതിർത്തുകൊള്ളുന്നു. ഉദ്യോഗനിയമനത്തെ സംബന്ധിച്ചു ഈ രാജ്യത്തു വലുതായ അഴിമതികളും അക്രമങ്ങളും നടന്നുവരുന്നു എന്നുള്ളതു് ഈ നാട്ടൊട്ടുക്കു പ്രസിദ്ധമാണു്. പ്രജാസഭയിലേയും നിയമസഭയിലേയും മെമ്പർമാർ ഈ വിഷയത്തെപ്പററി പല ആവർത്തി പറഞ്ഞിട്ടുണ്ടു്. പത്രങ്ങളിലും യോഗങ്ങളിലും ഈ സംഗതി വളരെ ആക്ഷേപത്തിനു് ഇടയാക്കിയിട്ടുണ്ടു്. ഗവൺമെൻറിനും ഇതു ഏറെക്കുറെ ബോദ്ധ്യപ്പെട്ടിട്ടുമുണ്ടു്.

ഉദ്യോഗനിയമനവിഷയത്തെ സംബന്ധിച്ചു വേണ്ട വ്യവസ്ഥ ചെയ്യണമെന്നു ഒരു പക്ഷേപത്രപ്രകാരം ൧൦൪-ലെ ബഡ്ജററു് യോഗത്തിൽ മെമ്പർമാർ പ്രസ്താപിച്ചപ്പോൾ പ്രസിഡൻറു അവർകൾ വേണ്ട വ്യവസ്ഥകൾ ചെയ്യാമെന്നു മറുപടി പറഞ്ഞിട്ടുണ്ടു്. അതിൽപിന്നീടു് എന്താണു് ചെയ്തതു്? ഈ വലുതായ അനീതിക്കു് ഒരു പരിഹാരം ഏതുവിധത്തിൽ ഉണ്ടാക്കാൻപോകുന്നു എന്നു ജനങ്ങൾ ഉൽക്കണ്ഠയോടുകൂടി വീക്ഷിച്ചുകൊണ്ടിരിക്കയായിരുന്നു. ഇതുവരെയായിട്ടും യാതൊരു നിവൃത്തിയും ഉണ്ടായില്ല. ഈ സംഗതി രാജ്യത്തു ഐകമത്യത്തോടുകൂടി വർത്തിക്കേണ്ട—അല്ലെങ്കിൽ മററു വിഷയങ്ങളിൽ ഐകമത്യത്തോടുകൂടി വർത്തിച്ചുവരുന്ന ജനങ്ങളുടെയിടയിൽ വലിയ കുഴപ്പമുണ്ടാക്കുന്നു. ഈ ഗൌരവമുള്ള കാര്യം വിട്ടുകളയാൻപാടില്ല. അനീതിയേയും അക്രമത്തേയും ശക്തിയോടുകൂടി എതിർക്കേണ്ടതു എല്ലാവരുടേയും കടമയാണല്ലോ. ഗവൺമെൻറു ഇനിയും ഈ വിഷയത്തിൽ കാലതാമസം വരുത്താൻപാടില്ല.

ഈ ഭേദഗതിയിൽ നിർദ്ദേശിച്ചിരിക്കുന്ന മാർഗ്ഗം ഈ അനീതിയെ

[Mr. Tariatu Kunjitomman.]

നിൎത്തുന്നതിനു ഒരിക്കലും പററിയതല്ല. ഈ പ്രമേയത്തോടു സാരമായ വിധത്തിൽ ബന്ധവുമില്ല. ഉദ്യോഗനിയമനങ്ങളിൽ കാണിക്കുന്ന അഴിമതികൾ വൎഗ്ഗീയമായിട്ടാണ് ഇരിക്കുന്നതെന്നു അടിക്കടി ഇവിടെ പറഞ്ഞുകൊണ്ടിരിക്കുന്നുണ്ടു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): വൎഗ്ഗത്തെ ഗണിക്കേണ്ട എന്നു പറയുന്നതു് വൎഗ്ഗീയമായ നിയമനം നടത്തരുതു് എന്നു വിചാരിച്ചല്ലെ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): വൎഗ്ഗീയമായ നിയമനം നടക്കണം. നേർവഴിയിൽനിന്നും കുറെ തെക്കോട്ടുപോയാൽ അവിടെനിന്നും നേർവഴിപോകയല്ല വേണ്ടതു്. തിരിയെ നേർവഴിയിൽ വന്നിട്ടു പിന്നീടാണ് പോകേണ്ടതു്. അതുപോലെ തന്നെ ൫൦൦ രൂപാ പത്തുപേൎക്കു കൊടുക്കാനായിട്ടുവച്ചു; അതിൽ ൪൦ രൂപാ ഒരാൾ എടുക്കുന്നു. അതുപോലെ ശേഷമുള്ള പത്തുരൂപാ പത്തുപേൎക്കായിട്ടു ഭാഗിക്കാമെന്നല്ലാ പറയേണ്ടതു്. നേരെമറിച്ചു ആ ൪൦ രൂപാകൂടി തിരിച്ചു വാങ്ങിച്ചു ൫൦ പേൎക്കായിട്ടു വീതിക്കയാണ് വേണ്ടതു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): അതുകൊണ്ടു ഇപ്പോൾ ഉദ്യോഗത്തിലിരിക്കുന്നതിൽ ഓരോ വൎഗ്ഗത്തിലും കൂടുതൽ ഇരിക്കുന്നവർ രാജികൊടുക്കണമെന്നാണോ പറയുന്നതു്?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): അങ്ങിനെ പറഞ്ഞില്ല. ഉദ്യോഗവിഷയം ദുഷമാണെന്നു ചിലർ പറഞ്ഞു. അതു അവരുടെ പ്രവൃത്തികൊണ്ടു കാണിച്ചിരുന്നാൽ സമ്മതിക്കാമായിരുന്നു. സ്വയം സ്വീകരിക്കാൻ തയ്യാറില്ലാത്ത തത്വം ആരുപറഞ്ഞാലും അതു സ്വീകാൎയ്യയോഗ്യമല്ലല്ലൊ. ഉദ്യോഗം ദുഷമാണെന്നു ആരു പറയുന്നുവോ അവരാണ് അധികപക്ഷം ഉദ്യോഗത്തിൽ ഇരിക്കുന്നതു്. അതുകൊണ്ടു മററുള്ളവരെക്കൂടി പ്രവേശിപ്പിച്ചാൽ അതു തങ്ങൾക്കു നഷ്ടമാണെന്നു വിചാരിച്ചാണ് ഇവർ ഇങ്ങിനെ പറയുന്നതു്. വൎഗ്ഗീയമായി ഉദ്യോഗദാനം ചെയ്യരുതെന്നു ആരു പറയുന്നു എന്നു പ്രത്യേകം ആലോചിക്കേണ്ടതാണ്.

മറെറാരൎത്ഥത്തിൽ പറഞ്ഞാൽ ഉദ്യോഗസ്ഥന്മാരുടെ സമൂഹമാണ് ഗവൺമെൻറ്. ഗവൺമെൻറിൻെറ സകല അധികാരങ്ങളും പ്രയോഗിക്കുന്നതു ഇവരാണു. ഉദ്യോഗസ്ഥന്മാരുടെ ശമ്പളവും, അധികാരവും എടുത്താൽ പിന്നെ ഗവൺമെൻറ് എന്നുള്ളതെന്താണ്. ഞങ്ങൾക്കു ഞങ്ങളുടെ ന്യായമായ അവകാശം നൽകണം. തിരുവിതാംകൂ

റിലെ ജനങ്ങൾക്കുതന്നെ വർഗ്ഗംനോക്കികൊടുക്കണം. ഏതു വർഗ്ഗമായാലും ആ വർഗ്ഗം ആ രാജ്യത്തെ പൌരന്മാരുടെ ഒരു വിഭാഗമാണ്. അതു കൊണ്ട് ഉദ്യോഗനിയമനവിഷയത്തെ സംബന്ധിച്ച് ഖണ്ഡിതമായ ഒരു വ്യവസ്ഥ ഉണ്ടാക്കണം. അതല്ലാതെ ഇങ്ങിനെ ഒരു ബോർഡ് ഏർപ്പെടുത്തിയാൽ കൂടുതൽ ദോഷമേയുള്ളു. ഈ ബോർഡുതന്നെ മദ്രാസിൽ ഏർപ്പെടുത്തി പ്രായോഗികമല്ലാത്തതുകൊണ്ട് പിൻവലിച്ചു എന്നു മി: രാജരാജവർമ്മ കോയിത്തമ്പുരാൻതന്നെ പറയുകയുണ്ടായി.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ഞാൻ അങ്ങിനെ പറഞ്ഞില്ല.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): മദ്രാസിൽ അങ്ങനെ ഒരു ബോർഡുണ്ടായിരുന്നു എന്നും ഇപ്പോൾ അതു നടക്കുന്നില്ലെന്നും പറഞ്ഞു.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ഇപ്പോൾ അതു നടക്കുന്നുണ്ടോ ഇല്ലയോ എന്ന് എനിക്കറിഞ്ഞുകൂടാൻ പാടില്ല. അതിനെ മാതൃകയാക്കി ഇവിടെയും ഒന്നുണ്ടാക്കണമെന്നാണ് ഞാൻ പറഞ്ഞത്.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അങ്ങനെയെങ്കിലും പറഞ്ഞല്ലോ. അപ്പോൾ അവിടെയും ഇതൊരു വലിയ വാദമാണെന്നു വരുന്നുണ്ട്. മൈസൂരിലും ഇതുപോലെ ഉദ്യോഗത്തെ സംബന്ധിച്ചു വലിയ വാദം നടക്കുന്ന ഒരു സ്ഥലമാണ്. അവിടെയും ഇതുപോലെ ഒരു ബോർഡില്ല.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): അവിടത്തെ വാദം ഈ പ്രമേയത്തിൽ ഉദ്ദേശിച്ചിരിക്കുന്ന സംഗതിയാണോ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അതേ സംഗതിതന്നെയാണ്. ഉദ്യോഗം വർഗ്ഗംനോക്കി ന്യായമായി വീതിക്കണമെന്നുതന്നെയാണ് മദ്രാസിലും മൈസൂരിലും ഉള്ള വാദം. ഈ പ്രമേയത്തിലുള്ള വാക്കുകൾക്കും അതിലെ വാക്കുകൾക്കും ഒരു പക്ഷെ വ്യത്യാസം കാണുമായിരിക്കും

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): മൈസൂരിലെ ഏർപ്പാടുകൾപോലെ ഇവിടേയും ചെയ്യുന്നതുകൊണ്ടു മെമ്പർക്കു വിരോധമുണ്ടോ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അതിന്റെ ആവശ്യമില്ലല്ലോ?

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): ഈ വക സംഗതികൾ ശരിയായി നടത്താൻ നമ്മുടെ ഗവണ്മെൻറിനു ശക്തിയില്ലേ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): ഉണ്ട്.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*) : ജനസംഖ്യയെ അടിസ്ഥാനമാക്കി ഉദ്യോഗം കൊടുക്കണമെന്നു പറഞ്ഞാൽ ജനസംഖ്യ കുറവുള്ളവർക്ക് എന്തെങ്കിലും കിട്ടാൻ വഴിയുണ്ടോ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): അവർക്കും അർഹതയുള്ളതു കിട്ടാൻ വഴിയുണ്ട്.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): അതെങ്ങിനെ കിട്ടും?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): എല്ലാവർക്കും കിട്ടാൻ വഴിയില്ല, അതുകൊണ്ടു ഈ പ്രമേയം സ്വീകരിക്കേണ്ട എന്നാണോ പറയുന്നത്? ഒന്നും വേണ്ട എന്നു പറയുന്നതിനെക്കാൾ ഭേദമല്ലേ ഈ വ്യവസ്ഥ.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): ഈ പ്രമേയം പാസ്സായാൽ ജനസംഖ്യ കുറഞ്ഞിട്ടുള്ള ജാതിക്കാർക്കു എങ്ങിനെ കിട്ടും?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): അവരുടെ ജനസംഖ്യ തോതനുസരിച്ചു കിട്ടും. ഇതിനെപ്പററി പ്രത്യേകം പറയേണ്ട ആവശ്യമില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): സമുദായത്തിൽ ജനസംഖ്യ കുറവാണെങ്കിലും യോഗ്യതയുള്ള ആളുകൾ ധാരാളം കാണുമല്ലോ. അവർക്കു കിട്ടുമോ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): ഇപ്പോൾ കിട്ടുന്നില്ലേ അതുപോലെ കിട്ടും.

ഒരേർപ്പാടും പരിപൂർണ്ണമല്ല. സിവിലും ക്രിമിനലും ചട്ടങ്ങൾ ശരിയായിരിക്കുന്നുണ്ട്. എങ്കിലും മോഷണവും അക്രമങ്ങളും നടക്കുന്നുണ്ട്. അതുപോലെ ഒരു വ്യവസ്ഥ ഉണ്ടായാലും അക്രമം നടക്കമായിരിക്കും. എന്നാലും ഈ അഴിമതിക്കു കുറെക്കെ ഒരു ഭേദം വരും.

ഈ രാജ്യത്തു അധിവസിക്കുന്ന എല്ലാവർക്കും സമഭാവനയോടുകൂടി ഉദ്യോഗവിതരണം ചെയ്യേണ്ടതാണ്. അതാണ് പരിഷ്കൃതഭരണത്തിൻെറ ലക്ഷണം. കൌൺസിലിൽതരുന്ന പട്ടികകൊണ്ടുതന്നെ ഉദ്യോഗസ്ഥന്മാർ അവരവരുടെ വർഗ്ഗക്കാർക്കു ആനുകൂല്യം കാണിക്കുന്നുണ്ടെന്നു വ്യക്തമാകുന്നുണ്ട്. ഇതിനു ഒരു നിവൃത്തി ഉടനെ ഉണ്ടാക്കേണ്ടതാണ്. ഇതിലേക്കു ഈ കൗൺസിലിൽ ഒരു പ്രമേയം കൊണ്ടുവന്നു പാ

സാക്കാൻ വളരെ വിഷമമുണ്ട്. അതു ഗവണ്മെൻറു മനസ്സിലാക്കണം. ഇതു് ഈ രാജ്യത്തെ പ്രതിനിധിസഭയാണ്. ഇവിടെവിവിധവർഗ്ഗത്തിൽ പെട്ട പ്രതിനിധികൾ ഉണ്ട്. അനീതിയും അക്രമവും തങ്ങൾക്കു ലാഭമാണെന്നു കണ്ടാലും അവയെ എതിർക്കേണ്ടതാണ്. അസ്ഥാനത്തുള്ള, സ്വജനപ്രതിപത്തിവളരെ ഹീനതയാണ്.

PRESIDENT: നിങ്ങളുടെ സമയം കഴിഞ്ഞു.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): സമയമായതുകൊണ്ടു ഞാൻ നിർത്തുന്നു.

The Council rose for lunch at 2-3 P. M. and re-assembled at 2-45 P. M.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): I would oppose both the amendments and the resolution, but I may be permitted to observe at the very outset that we on this side of the House have never been an obstacle to necessary measures being adopted, to see that proper representation is given to the unrepresented communities in the public service. From the proceedings of this House also, it would be seen that many of us had been very strongly advocating that case. In modern times, Sir, there is no other question which both the public and the Government are more anxious about than the question of representation in public service so much so that this has become a most vexed question and therefore it is certainly necessary that we should tackle that problem very seriously. But as for the recommendations contained in the Resolution now before the House, my submission is that they are not acceptable on several grounds

It seems to me that in the first place we have not got sufficient statistics to go upon. Some of my friends on this side of the House were telling us that it was very easy to know how many communities there are in Travancore. But my submission is that it is very difficult, at this stage, to ascertain even the number of communities in our State. We should first get sufficient information as regards that matter. Therefore I would propose the formation of a committee to go into the whole problem and if they find that communal representation is to be adopted they should suggest how the different communities are to be grouped, etc. It is a very serious problem. For instance even among the Christians there are two main divisions, *viz.*, the Protestants and the Catholics. Even among them there are several sub-divisions. Each of these has been trying to see that it is being recognised by Government as a separate community for purpose of representation in the public service. As for that matter even among Nayars there are several sub-divisions like the Illakars and Swarooppkars etc., and if the recommendation contained in this resolution is to be adopted each of these sub-sections would try to get its own share of separate representation in the public service. So, the question will become more and more complex

[Mr. N. K. Krishna Pillai.]

and in view of greater complexities likely to be brought about by adopting the resolution as it is, my submission is that it would be better in the interest of the public that a Committee is formed to go into the whole question.

Now I am constrained to make one or two observations with regard to another matter. It is true that some of the communities are more largely represented in the public service. But it is not the default of those now in employment; it is due more to history and to accidents and force of circumstances over which they have no control. If we are to adopt the resolution now before the House we would be penalising the present generations for a fault for which they are not at all responsible. The proposal in the resolution is to exclude the youths of the present generation systematically from public service for some years to come. That is very hard. On this ground also, I would oppose the resolution.

As regards the constitution of the Staff Selection Board that was suggested by Mr. L. R. Raja Raja Varma Koil Tampuran, when I questioned him about the functions of the Board he was not able to give me any definite answer. His amendment also seems to be vague. Therefore I would most heartily recommend the formation of a committee. But unfortunately that matter is not before the House. I therefore oppose both the amendments and the resolution as there is no alternative for me.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Sir, I rise to support the principle underlying the resolution. Personally speaking, Sir, I am indifferent as to which community is represented in the public service in the State. I am one of those who think that whichever may be the community from which people are recruited to the public service, the country as a whole should get duties towards the public performed satisfactorily and to the best interest of the State as a whole. Apart from all that, when the burning question of the day, not to-day but of the past 10 years, when the burning question in the country has been the question of communal representation and when that question is being discussed in this Hall it would look rather awkward to keep quiet. That is the spirit in which I rise to speak on this resolution.

Unfortunately I have to say that the resolution now before the House is full of difficulties so that this side of the House cannot unanimously support the resolution as it has been worded and presented before the House. I fully agree that minority communities have little or no chance to get Government appointments without the principle of communal representation being adopted. It is also clear from the discussion here that a well defined scheme to solve this vexed question has not been so far forthcoming either from the Government side or from the non-official side on account of the difficulties in the solution of the problem. It has been unanimously expressed on a previous occasion by the members on this side of the House that it is not their intention to keep away any community from getting its due representation in

public service. That has been agreed upon and I do not think any more difficulty will arise with regard to that. But this resolution *as it is* has several implications which unfortunately neither the mover nor the proposers of the amendments nor any other member seem to have fully realised, and they have not explained the resolution in all its aspects. It is therefore very difficult to grasp the resolution in all its aspects. If anybody had been kind enough to explain the effect and full scope of the resolution it would have been easy for us, to vote for one side or the other when called upon to do so. There is absolutely no question about the principle underlying the resolution. Everybody is agreed as to that, but in its present form the resolution is likely to give rise to serious difficulties. I do not think there is any great use in discussing the resolution in its present form any further. But there are certain aspects of it which the House has to consider.

First of all the first part of the resolution says that hereafter inadequately represented communities may be given more representation in the public service on the basis of population. I am perfectly in agreement with that part of the resolution and I believe that the members on this side of the House will not differ from me in that matter, because if some scheme is to be followed for solving this problem, the best scheme according to me is the one based on population. Communal representation on the basis of population seems to be a sound proposition and I am perfectly in agreement with it.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): മി. നീലകണ്ഠപ്പിള്ളയോടു എനിക്കൊരു ചോദ്യം ചോദിക്കാനുണ്ടു്.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Let me finish my speech and then I shall answer all questions.

The second aspect of the question is this. If my friend Mr. P. S. Mahomed if he has understood the resolution as I have understood it, I dare say he would not have supported the resolution as it is; because I understand, when he supports it, his intention is to take it for granted that he belongs to a community inadequately represented in public service and that therefore he thinks that by accepting this resolution this House would be doing a great service to the Muslim community. I submit, with due deference to the opinion expressed by him, that his object would not be achieved by this resolution being carried. For example if representation is to be made in public service on the basis of population I question the member when the Muslim community in this State would get representation in public service satisfactorily. Similarly with reference to the Malayala Brahmins and other minority communities. On the basis of population when are these minority communities going to be satisfied in the matter of representation in public service? Then coming to the question of Rajas of whom we have only one thousand and five hundred people on the whole,

[Mr. K. P. Nilakanta Pillai.]

how long they will have to wait for getting representation in public service on the basis of population. I submit, these aspects of the question have not been considered by my friends on this side of the House. Therefore there are several difficulties in accepting the resolution as it is.

There is then the other aspect of the resolution contained in the latter part of it, which deals with the question of adopting the principle of communal representation in the matter of giving promotions also. Honestly speaking, Sir, although there is not much place for honesty in politics (*Laughter*) I think all the members would agree with me that it is a most unfair proposition. Suppose the principle of giving promotions in the various grades of public service according to the principle of communal representation as represented by the member is adopted and preference given to members of the unrepresented and inadequately represented communities in the matter of promotions also, I question whether it would not completely undermine the efficiency which Government service can boast of to-day. I am reminded of the conversation which once took place between an office manager and his boy when the former asked the latter what would he do if he were to exchange places with the manager.

MR. MATTHEW MURIKKAN (*Vaikam*): May I know.................

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): The member will please listen to me instead of disturbing the trend of my thought.

MR. MATTHEW MURIKKAN (*Vaikam*): If he answers my question that would help us all to come to a conclusion.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): I request you, Sir, that I may be allowed to proceed.

The Manager asked his boy what he would do if he were asked to exchange places with his master and the boy replied " I would sack my office boy and kick him ". That is the story, Sir, which presents itself to me when I consider the suggestion contained in the latter part of the resolution recommending the adoption of the principle of communal representation in the matter of promotion also. A junior clerk in an office may belong to an unrepresented community. There may be four or five above him including the manager or the Superintendent himself all of whom belonging to communities having their due representation in public service. If the principle contained in his resolution is accepted, then the junior clerk may have to supercede the Superintendent himself. I ask where is the safety in public service under the circumstances. You give with one hand a certain status to a particular gentleman. He is full of hope and moulding his future on the position that you have given him; and then by another hand you now seek to take away from him what you gave him years ago. May I ask, while attempting, to remove the disabilities or the sufferings of a particular set of people, you can create sufferings to another set of people. That is the aspect of the question. I would request the members on this side of the House to consider. As I said I am

perfectly in agreement with the first part of the resolution. I am perfectly in disagreement with the latter part of the resolution that promotions also should be given on the communal basis. That proposition cannot, for a moment, be acceptable to me. It is immaterial to me, Sir, whether all the posts in the State are filled by members of community A, B or C. That is my personal opinion. Whatever that may be it is true that the several communities of the State have got a right to be represented in public service on the basis of population. That is a sound proposition.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ഒരു വർഗ്ഗത്തിൽ ചേർന്നിരിക്കുന്ന കാരണത്താൽ ആർക്കെങ്കിലും ഉദ്യോഗംകിട്ടാതെയുണ്ടോ?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): I can understand that question. But it will not help us to find a solution for the grievances of the unrepresented community. A mere expression of opinion will not affect the practical advancement of any particular community. That is the point that is now ventilated before this House. You may recognise the right of the inadequately represented communities for representation in public service. But by the mere recognition of that right you are not remedying their grievances.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Is it the member's opinion that a junior man in an office should be promoted over his senior in the same office for the sole reason that the former happens to belong to an unrepresented community?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): I have already stated that that is absolutely unreasonable and that I would not subscribe to that proposition. It will not appeal to any reasonable man.

With these words I support the principle underlying the first portion of the resolution moved by Mr. A. C. Kuriakose.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Sir, the resolution before the House deals with a very complicated problem a solution of which has been sought for by this House for the last so many years. Even in the Budget Session of 1104 the Government promised to consider the question of removing the grievances of communities which are not adequately represented in the Government Service. The Council on that occasion was satisfied with the promise and the motion was not pressed. But the Government have not done anything in that direction and the result is that we have now a resolution which is drafted in a form which is not acceptable to some of us. Sir, all my friends who supported the resolution agree that it is a very complicated problem and that it must be solved for the harmonious working of the different communities in the State. I fully agree with my friend Mr. Murikkan in saying that a Committee should be appointed to consider this question and suggest some solution. Sir, with regard to one statement made by Mr. Matthew Murikkan I was amused. He said that he was against the constitution of a Staff Selection Board

[Mr. A. S. Damodaran Asan.]

with an elected majority because he did not have much confidence in the working of such a Board. Unfortunately he forgot that he was addressing a House with an elected majority.

MR. MATTHEW MURIKKAN (*Vaikam*): Does Mr. Asan think that the function of the Legislative Council is the same as those of a Staff Selection Board?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I do not say so. But I have as much confidence in a Staff Selection Board with an elected majority as we have in this Legislative Council for the main reason that there is an elected majority in the Staff Selection Board.

MR. N. R. KRISHNAN (*Nominated*): നിയമസഭയിൽ നാമിനേഷൻ ഉണ്ടല്ലോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Yes, that is why I say that we may have an elected majority and nomination in the Staff Selection Board also as we have here.

MR. MATTHEW MURIKKAN (*Vaikam*): Does my friend think that Mr. L. R. Raja Raja Varma Koil Tampuran's proposal makes provision for nomination also?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I could have understood my friend's objection to the suggestion if he had himself some constructive suggestions to make as to the constitution of the Board. He simply said that he does not approve of the constitution of a Board like that.

MR. MATTHEW MURIKKAN (*Vaikam*): Will Mr. Asan make a constructive suggestion with regard to the constitution of a Staff Selection Board?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): That is not my point now. My point is that I have confidence in a Body which has an elected majority and according to me the Staff Selection Board should have an elected majority. So I would have confidence in that Board. But my friend Mr. Murikkan opposes the idea of constituting such a Board, on the mere ground that he has no confidence in that Board working with an elected majority. That is the point at issue.

Sir, the resolution has been drafted in a way which appealed to Mr. Kuriakose, and Mr. Ittoop Itteechan thought an amendment of it would be better. But we see several difficulties in the way in accepting the resolution or the amendment. I asked Mr. Kunjitomman whether he could give me the number of communities in the State and he replied that a number of castewar statements has been placed on the table and that from those statements I could get the information or make an inference. Sir, my friend Mr. Kunjitomman who has very often been calling for these statements has himself been questioning the correctness of the classification of communities made in these statements.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): മദ്രാസ്സിലും മൈസൂരിലും ഒട്ടുവളരെ സമുദായങ്ങളുണ്ടെന്നറിയാമോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അറിയാം.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അവിടെ വർഗ്ഗീയമായിട്ട് വിഭജിച്ചു ഒരു പട്ടിക വച്ചാണ് ഉദ്യോഗം കൊടുക്കുന്നതെന്ന് അറിയാമോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): മദ്രാസിൽ അങ്ങനെയാണെന്നു കേട്ടിട്ടുണ്ട്.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): മൈസൂരിലോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അവിടത്തെ കാര്യം എനിക്കു നിശ്ചയമില്ല.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): മദ്രാസിലെ വ്യവസ്ഥ ഇവിടെയും സ്വീകരിക്കുന്നപക്ഷം മെമ്പർക്കു വിരോധമുണ്ടോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ഒരു വിരോധവുമില്ല.

One thing which I want to point out to my friend is that as a matter of fact the Madras Council has repeatedly thrown out such a resolution.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): എന്റെ ചോദ്യത്തിനു ഉത്തരമാണെങ്കിൽ മലയാളത്തിൽ പറഞ്ഞാൽ കൊള്ളാം.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): മദ്രാസിൽ ഒരു സ്റ്റാഫ് സിലക്ഷൻ ബോർഡ് ഏർപ്പെടുത്തി ഒരു റൊട്ടേഷൻ കണക്കു വച്ചു ഉദ്യോഗം നൽകിവരുന്നതായിട്ടു അറിയാം. ആ സ്ഥിതിക്കു ആ ഏർപ്പാടു ഇവിടേയും ഏർപ്പെടുത്തുന്നതു കൊണ്ടു എനിക്കു വിരോധമില്ല. ഈ പ്രമേയത്തെ അനുകൂലിക്കുന്ന മിസ്റ്റർ കുഞ്ഞിത്തൊമ്മൻ—മദ്രാസിലെ നടപടിയെ അനുകരിക്കുന്നതിനു ശുപാർശ ചെയ്യുന്ന മിസ്റ്റർ കുഞ്ഞിത്തൊമ്മൻ—വർഗ്ഗീയപ്രാതിനിധ്യവാദ പ്രമേയത്തെ മദ്രാസ് നിയമസഭ തള്ളിക്കളഞ്ഞു എന്നുകൂടി ഓർക്കേണ്ടതാണ്.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): മദ്രാസിൽ വർഗ്ഗം തിരിച്ചു ഉദ്യോഗനിയമനം നടത്തുന്നതിനു വർഗ്ഗങ്ങൾ ഒരു ബാധകമല്ല. അതു ഇവിടെ ഒരു ബാധകമായതെന്തുകൊണ്ടാണ്?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): മദ്രാസിൽ ഇന്നയിന്ന വർഗ്ഗങ്ങൾ ഉണ്ട് എന്നു നിശ്ചയിച്ചു കഴിഞ്ഞു.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അതു സെൻസസ് റിപ്പോർട്ടിലില്ലേ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : സെൻസസിലെ റിപ്പോർട്ടിൽ നിന്നും തരുന്ന പട്ടിക തന്നെ ശരിയല്ല എന്നു ഇവിടെ പലപ്പോഴും എൻെറ സ്നേഹിതൻ തന്നെ പരാതി പറഞ്ഞിട്ടുള്ളതു ഞാൻ കേട്ടിട്ടുണ്ട്.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): മെമ്പർ അങ്ങിനെ പറഞ്ഞിട്ടുണ്ടോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ഞാൻ അങ്ങിനെ പറഞ്ഞിട്ടില്ല. എനിക്കതിലേക്കുള്ള അവസരവും ഉണ്ടായിട്ടില്ല.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*) : ഇങ്ങിനെ പട്ടിക തെററാണെന്നു മിസ്റ്റർ ആശാനും അറിയാമായിരിക്കെ ഒരു ശരിയായ പട്ടിക വരുത്താൻ മിസ്റ്റർ ആശാൻ ശ്രമിച്ചിട്ടുണ്ടോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): വല്ല വിവര പട്ടിക ചോദിച്ച് ഈ കൌൺസിലിലെ അധികസമയവും കളയുന്നല്ലോ എന്നു സങ്കടപ്പെടുന്ന ഞാൻ അതിനു ശ്രമിച്ചിട്ടില്ല.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): തിരുവിതാംകൂറിൽ സ്കൂളുകളിൽ പഠിച്ചുവരുന്ന വിദ്യാർത്ഥികൾക്കു ഫീസ് സൌജന്യം ചെയ്തു വരുന്നതായിട്ടറിയാമോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അറിയാം.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*) : അവിടെ മെജാറിട്ടിയും മൈനാറിട്ടിയും സമുദായങ്ങളിലുള്ള കുട്ടികളും ഏതൊരു സമുദായത്തിലുള്ള ആളും പഠിച്ചിരുന്നാലും അവക്കെല്ലാം മുറപ്രകാരംവീതം കിട്ടത്തക്കവണ്ണം ഗവണ്മെൻറു ചെയ്യുന്നതായി അറിയാമോ? അവിടെ വലിയ സമുദായങ്ങളും ചെറിയ സമുദായങ്ങളും ഉണ്ടെങ്കിൽ അതു് വിഷമം ആണെന്നല്ലേ പറഞ്ഞതു്?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): എന്നു ഞാൻ പറഞ്ഞില്ല.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*) : സമുദായങ്ങൾ പലതും ഉണ്ട്. അവയുടെ സംഖ്യ നിർണ്ണയിക്കാൻ കഴിഞ്ഞിട്ടില്ല. എന്നാൽ അസമത്വസമുദായങ്ങൾ ഏതെല്ലാമുണ്ടോ അവരുടെ അവകാശം കൊടുക്കണമെന്നേ പറഞ്ഞൊള്ളു.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അവകാശം എന്ന വാക്കിനു തന്നെ വളരെ വ്യാപ്തിയുണ്ട്. ഒരു സമുദായത്തിനു ന്യായപ്രകാരം ചെല്ലേണ്ട അവകാശം കൊടുക്കേണ്ട ന്യായം എങ്ങിനെയാണ്.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*) : ആയിരമോ പതിനായിരമോ സമുദായങ്ങൾ തിരുവിതാംകൂറിൽ ഉണ്ടായിരിക്കട്ടെ, ഈ സമുദായത്തിലെ വ്യക്തികൾക്ക് ന്യായമായിട്ട ഗവണ്മെൻറിൽനിന്നും കൊടുക്കേണ്ട അവകാശത്തെ കൊടുക്കണമെന്നു ഏർപ്പാടുചെയ്യുന്നതിൽ മെമ്പറിനു വിസമ്മതം ഉണ്ടോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): എനിക്കു യാതൊരു വിസമ്മതവുമില്ല. എത്ര സമുദായങ്ങൾ ഉണ്ടെങ്കിലും ആ സമുദായങ്ങളിലെ വ്യക്തികൾക്ക് ഉദ്യോഗനിയമനം കൊടുക്കുന്നതിൽ യാതൊരു വിരോധവുമില്ല. കൊടുക്കണമെന്നുതന്നെയാണ് എന്റെയും അഭിപ്രായം.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): അങ്ങിനെ വിരോധമില്ലാത്തപക്ഷം, അവകാശമുള്ളവക്ക് കൊടുക്കുന്നതിനു പ്രതിബന്ധമായിട്ട് ഈ പ്രമേയത്തിൽ യാതൊന്നും പറഞ്ഞിട്ടില്ല എന്നറിയാമോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അങ്ങിനെ പറഞ്ഞിട്ടുണ്ടെന്നാണ് ഞാൻ വിചാരിക്കുന്നതു്.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*) : ഒരു സമുദായത്തിന് ഒരു ഉദ്യോഗത്തിന് പ്രത്യേകം ഒരു അവകാശം ഉണ്ടെന്നു പറയാമൊ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : ഈ അവകാശത്തെപ്പററിതന്നെ എനിക്കു മനസ്സിലായിട്ടില്ല. പിന്നെ അതിനെപ്പററി ഒരു തീർച്ച പറയുന്നതെങ്ങിനെ.

MR. P. S. MAHOMED (*Nominated*) : തിരുവിതാംകൂറിൽ സമുദായം ഉണ്ടോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : ഇല്ലെങ്കിൽ ഈ വഴക്കില്ലല്ലൊ.

MR. P. S. MAHOMED (*Nominated*): മെമ്പറിന്റെ അഭിപ്രായത്തിലുണ്ടൊ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*) : ഉദ്യോഗവാദം കൗൺസിലിന്റെ ആലോചനയ്ക്കു മേലാൽ കൊണ്ടുവരാതിരിക്കുവാൻ ഒരു വ്യവസ്ഥ ചെയ്യണമെന്നു മെമ്പർ ഒരു റസല്യൂഷൻ കൊണ്ടുവരാത്തതെന്താണ്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അതുംകൂടികൊണ്ടുവന്നു് കുറെക്കൂടി സമയം കളയാമെന്നല്ലാതെ അതിനു തീരുമാനമുണ്ടാകുകയില്ല എന്നു് തോന്നിയതു കൊണ്ടാണ്. (ചിരി.)

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): ഇങ്ങിനെവീണ്ടും വീണ്ടും കൊണ്ടുവന്ന് അധികം സമയം നഷ്ടപ്പെടുത്താതിരിക്കാൻവേണ്ടി കുറെ സമയം നഷ്ടപ്പെട്ടാൽ എന്താണ്?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അതുകൊണ്ടും പ്രതിവിധി ഉണ്ടാകുമെന്നുതോന്നുന്നില്ല. എന്റെ സ്നേഹിതൻ കൊണ്ടുവന്ന പ്രതിവിധിക്ക് ഒന്നുംതന്നെ ഫലം കണ്ടില്ല. പിന്നെ ഞാനും എന്തിനാണ് കൊണ്ടുവരുന്നത്?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അത് സാധിക്കാതെവന്നത് മിസ്റ്റർ ആശാനെപ്പോലെയുള്ള ആളുകൾ അതിനെ ആദരിക്കാത്തതുകൊണ്ടാണെന്ന് ഓർമ്മിക്കുമൊ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അത് തെററായിരിക്കും. അതുകൊണ്ട് ഞാൻ ആദരിച്ചില്ല.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): പിന്നെ ശരിയായ ഒരു പ്രതിവിധി കൊണ്ടുവരാത്തതെന്താണ്?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ൧൦൪-ൽ ബഡ്ജററ് വിമർശനാവസരത്തിൽ ഞാൻ പറഞ്ഞിട്ടുള്ളതെന്താണ് എന്നു മെമ്പർ വായിച്ചുനോക്കിയാൽ അറിയാം.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): Sir, I rise to a point of order. Mr. Asan is speaking in Malayalam.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Sir, I am answering Mr. Kunjitomman's question.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): മററുള്ളവർ ഒരു പദ്ധതി കൊണ്ടുവരുമ്പോൾ അതു ശരിയല്ല എന്നു പറയുന്ന ആൾക്കുതന്നെ ഒരു പദ്ധതി കൊണ്ടുവരരുതോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ഒന്നോ രണ്ടോപേർ ആലോചിച്ചുകൊണ്ടുവരുന്നതിൽതന്നെ ന്യൂനത കാണുന്നതുകൊണ്ടാണ് ഞാൻമാത്രം ഒരു പദ്ധതി തയ്യാറാക്കി ഇവിടെ കൊണ്ടുവരാത്തത്.

PRESIDENT: I think your time is up, Mr. Asan. I shall any way allow you a few minutes more.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What I would suggest is that it is urgently necessary to solve this problem of communal representation in public service and to redress the grievances of the communities complaining of inadequate representation, in the interest of the harmonious working of the different communities for the political advancement of this State. It is high time therefore to appoint a committee to consider the question and to suggest a solution.

MR. R. RAMAN PILLAI (*Kottayam*): മി. കുറിയാക്കോസ് ഇവിടെ കൊണ്ടുവന്നിരിക്കുന്ന പ്രമേയത്തേയും മി. രാജരാജവർമ്മ തമ്പുരാൻകൊണ്ടുവന്ന ഭേദഗതിയേയും എനിക്കു് എതൃക്കാതിരിക്കാൻ നിവർത്തിയില്ല. സമുദായ പ്രാതിനിധ്യവാദംകൊണ്ടു് കൌൺസിലിന്റെ സാരമായ സമയം എല്ലാ സന്ദർഭത്തിലും നഷ്ടപ്പെട്ടുപോകുന്നതുനിമിത്തം സന്തപ്തചിത്തനായിട്ടു ൧൧൦൪-ലെ ബഡ്ജററു സമ്മേളനത്തിൽ സമുദായ പ്രാതിനിധ്യവാദത്തിനു് ഒരു സമാധാനം ഉണ്ടാകുന്നതിനു് കൌൺസിലിനെ പ്രേരിപ്പിക്കണമെന്നുള്ള ഉദ്ദേശത്തോടുകൂടി ഞാൻ ഒരു ഉപക്ഷേപം അവതരിപ്പിച്ചിരുന്നു. ആ ഉപക്ഷേപത്തെ അനുകൂലിച്ചു് എന്റെ സ്നേഹിതന്മാരിൽ പലരും പ്രസംഗിക്കുകയുണ്ടായി. അവസാനത്തിൽ അദ്ധ്യക്ഷനവർകൾ അതിനെക്കുറിച്ചു് താമസിയാതെ ആലോചിച്ചു് ഒരു പരിഹാരം ഉണ്ടാക്കാമെന്നും ഉടൻതന്നെ അതിലേക്കു് ഒരു സമാധാനം പറയാൻ നിവർത്തിയില്ലെന്നുംമററുമായി പുറപ്പെടുവിച്ച അഭിപ്രായത്തെ എന്റെ സ്നേഹിതൻ മി. കുഞ്ഞിത്തൊമ്മൻ മുതൽപേർ സ്വീകരിച്ചു് എന്നോടു ഗുണദോഷിച്ചതിനാൽ ഞാൻ ആ ഉപക്ഷേപത്തെ പിൻവലിക്കുകയാണുണ്ടായതു്. അതു കഴിഞ്ഞിട്ടു് ഇപ്പോൾ ഒന്നരകൊല്ലങ്ങളായിരിക്കുന്നു. ഗവൺമെന്റു താമസിയാതെ എന്നു പറയുന്നതിൽ എത്ര നാളും നീളും എന്നാണല്ലോ വസ്തു്. ഗവൺമെന്റു് അങ്ങിനെ താമസിച്ചതിന്റെ ഫലമായി ൧൧൦൫-ലെ ബഡ്ജററു് സമ്മേളനത്തിൽ നിയമസഭയുടെ സമയം മുഴുവനും സമുദായ പ്രാധിനിധ്യകോലാഹലം കൊണ്ടുതന്നെ കഴിഞ്ഞുകൂടുകയാണു് ചെയ്തതു്. അതിനാൽ ഇനിയെങ്കിലും അതിനൊരു സമാധാനം ഉണ്ടാക്കേണ്ടതാണെന്നു് ഞാൻ ഈ സഭയോടപേക്ഷിക്കുന്നു. മി. കുഞ്ഞിത്തൊമ്മൻ പറയുന്നതു് ഏതാനും പേർ തെക്കോട്ടുപോയിരിക്കുന്നു. അവരോടൊപ്പം മററുള്ളവരും ചെല്ലുന്നതുവരെ ആദ്യം പോയവർ സ്വസ്ഥരായിരിക്കണമെന്നാണു്. അതു് വളരെ പ്രയാസമായ ഒരു സംഗതിയാണു്. തെക്കോട്ടുപോകുന്നവരൊക്കെ തിരിച്ചു വരണം എന്നിട്ടു് എല്ലാപേരും ഒരുമിച്ചു പോകണം എന്നുകൂടിയുള്ള അർത്ഥത്തിലാണു് പറഞ്ഞതു്. അതു് ഒരിക്കലും സാധ്യമല്ല. തെക്കോട്ടു പോയവർ ഒക്കെ പോകട്ടെ എന്നുവച്ചു കൊള്ളണം, അവർ ഇനിവരാത്തവണ്ണം തെക്കോട്ടു പോയാലും വിരോധമില്ലാ; ഇനി തെക്കോട്ടു പോകുന്നവരെല്ലാം ഒരുമിച്ചുതന്നെ പോകണം എന്ന അർത്ഥത്തിലാണു് ഈ പ്രമേയം അവതരിപ്പിച്ചിരുന്നതു് എങ്കിൽ ഞാൻ അതിനെ പരിപൂർണ്ണമായി അനുകൂലിക്കുമായിരു

[Mr R. Raman Pillai.]

നം. എന്നാൽ അങ്ങിനെ അല്ല. എത്രതാനും കൊല്ലം കുറെ പേർ സ്വസ്ഥമായി ഇതു അനുഭവിച്ചുകൊള്ളട്ടെ, അതിനിടക്ക് അസമത്വം അനുഭവിക്കുന്ന ആളുകൾ [illegible] കട്ടെ എന്നുള്ള അർത്ഥത്തിലാണ് ഈ പ്രമേയം അവതരിപ്പിച്ചിരിക്കുന്നതു്. ഈ നിലയ്ക്കു് ഈ പ്രമേയത്തെ അനുകൂലിയ്ക്കാൻ നിവൃത്തി ഇല്ല. ഉദ്യോഗത്തിൽ ഇരിയ്ക്കുന്ന ആളുകൾക്ക് പ്രമോഷൻ കൊടുക്കുന്ന വിഷയത്തിൽ അസമത്വം അനുഭവിക്കുന്നവരുടെ അവകാശത്തെ പ്രത്യേകം പരിഗണിച്ച് മററുള്ളവരുടെ അവകാശത്തെ അവഗണിച്ചു പ്രമോഷൻ കൊടുക്കണം എന്നാണ് പ്രമേയകർത്താവ് നിർദ്ദേശിച്ചിരിക്കുന്നതു്. ഇതിലധികം ഒരു അനീതി ഉദ്യോഗസ്ഥമണ്ഡലത്തെ ദുഷിപ്പിക്കുന്നതിനു് കൊണ്ടുവരുവാൻ സാധിക്കുമോ എന്നു് ഞാൻ സംശയിയ്ക്കുന്നു. എനിക്ക് ഇന്നതു കിട്ടാൻ അവകാശം ഉണ്ടു് അതു കിട്ടേണ്ട മുറയ്ക്കു കിട്ടും എന്നുള്ള വിചാരത്തോടുകൂടി വേണ്ട ജോലികൾ ബുദ്ധിപൂർവമായും ശക്തിക്കനുസരിച്ചും പ്രവർത്തിച്ചുകൊണ്ടിരിക്കുന്ന ആളിനെ നിരാശയിൽ അകപ്പെടുത്തി കൃത്യനിർവ്വഹണത്തിനു അപ്രാപ്തതയുണ്ടാക്കുന്ന ഒരു മാർഗ്ഗമാണിതു്. അതുകൊണ്ടു് അതിനെ സ്വീകരിക്കാൻ നിവൃത്തിയില്ല.

ഉദ്യോഗനിയമനത്തിനു് ഒരു സ്റ്റാഫ് സിലക്‌ഷൻ ബോർഡ് ഉണ്ടാക്കിയാൽ മതിയെന്നാണ് മി. രാജരാജവമ്മതമ്പുരാൻ അഭിപ്രായപ്പെടുന്നതു്. അതു് എന്തെല്ലാം പ്രകാരത്തിലാണ് പ്രവൃത്തിക്കേണ്ടതു് എന്നു് ഗവണ്മെന്റോ നിയമസഭയോ നിർദ്ദേശിച്ചാലല്ലാതെ വെറും ഒരു ബോഡുമാത്രം സ്ഥാപിക്കുന്നതുകൊണ്ടു് പ്രയോജനം ഉണ്ടാകുന്നതല്ല. ആ സ്ഥിതിക്കു ഈ പ്രമേയത്തേയും ഭേദഗതിയേയും ഒരുപോലെ പ്രതികൂലിക്കേണ്ടിവന്നതിൽ എനിക്ക് അതിയായ മനസ്താപം ഉണ്ടു്. അതിനു ഞാൻ ഗവണ്മെൻറിനെ ഉപദേശിക്കുന്നതു മറെറാന്നുമല്ല. ഈ വഴക്കിനെ ഇതോടുകൂടി അവസാനിപ്പിക്കുന്നതിനു ശരിയായ പ്രാതിനിധ്യമുള്ള ഒരു കമ്മിററിയെ ഗവണ്മെൻറു തിരഞ്ഞെടുത്തു് രണ്ടുമാസത്തിനകമെന്നു് മി. മുരിക്കൻ അഭിപ്രായപ്പെട്ടതനുസരിച്ച് കഴിഞ്ഞില്ലെങ്കിൽ ആറു മാസത്തിനകം എങ്കിലും ഇന്ന ഇന്ന പ്രകാരത്തിൽ ഇന്ന ഇന്ന സമുദായങ്ങൾക്ക് ഇത്ര ഇത്ര ഉദ്യോഗംവീതം ഇന്ന ഇന്ന മുറ അനുസരിച്ചു കൊടുക്കണം എന്നു അവസാനമായി ഒരു തീരുമാനം ഉണ്ടാക്കണം. അല്ലാത്തപക്ഷം ഈ രാജ്യത്തിനെന്നല്ല, ഈ നിയമസഭയിൽ പോലും യാതൊരു സമാധാനവും ഉണ്ടാകുമെന്നു ഞാൻ വിചാരിക്കുന്നില്ല. ഇതുകൊണ്ടു് നിയമസഭയുടെ പ്രയോജനം മുഴുവനും ക്ഷയിച്ചു

പോകുക അല്ലാതെ നിവൃത്തിയില്ല. വളരെ അവസരങ്ങളിൽ സമുദായപ്രാതിനിധ്യവാദംകൊണ്ടുവന്നു് സമയം നഷ്ടപ്പെടുത്തിയിട്ടുണ്ടു്. ഇനിയും ഇങ്ങനെ സമയം നഷ്ടപ്പെടാൻ ഇടയാകുന്നതു വളരെ പരിതാപകരമാണു്. അതിലേക്കു് ഗവണ്മെൻറു തക്കതായ ഒരു കമ്മിററിയെ ശരിയായ പ്രാതിനിധ്യത്തോടുകൂടി ഒരു നിശ്ചിതമായ കാലാവധിക്കകം നിയമിക്കാമെന്നു നിശ്ചയിച്ചു് ഒരു മറുപടി കൊടുത്തെങ്കിലും പ്രമേയപ്രയോക്താവിനോടു് ഈ പ്രമേയത്തെപിൻവലിക്കാനാവശ്യപ്പെടേണ്ടതാണു്.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): അടുത്തതായി വേറെ ഒരു റസല്യൂഷനും ഉണ്ടെന്നു് അറിയാമോ?

MR. R. RAMAN PILLAI (*Kottayam*): ഈ റസല്യൂഷൻ ഇരിക്കുന്ന അവസരത്തിൽ ഇനി വരാൻപോകുന്ന റസല്യൂഷനെപ്പററി വിചിന്തനം ചെയ്യേണ്ടയാവശ്യമില്ല. കൂടാതെ ആ റസല്യൂഷൻ ബാലററിൽ വരുമൊ എന്നും അതിനെപ്പററി സംസാരിക്കാൻ സാധിക്കുമൊ എന്നും ഒരു നിശ്ചയവുമില്ല. അതിനാൽ ഇങ്ങിനെ ഗവണ്മെൻറിനെ ഉപദേശിച്ചുകൊണ്ടു ഞാൻ പ്രമേയത്തേയും ഭേദഗതിയേയും ഒരു പോലെ എതിർക്കുന്നു.

MR. A. THANU PILLAI (*Trivandrum*): We would like to have the official views on the matter, Sir. A number of non-official members have already spoken on the resolution. We would like to have the official views on it.

PRESIDENT: We have only a few minutes more. We have to take up the adjournment motion precisely at 3-30. I think it would be better to adjourn the discussion of this resolution to eleven-thirty tomorrow so that we can take it up again tomorrow as soon as we meet. We have barely three minutes before us for starting the discussion of the adjournment motion.

[*The business of the House was suspended for three minutes.*]

MOTION FOR THE ADJOURNMENT OF THE BUSINESS OF THE HOUSE TO CONSIDER THE SHERTALLAI TEMPERANCE TROUBLE.

MR. MURUVELIL PACHU PILLAI (*Shertallai*): സർ, ഈ ആണ്ടു കന്നിമാസം ൧൯-ാം തീയതി ചേർത്തല ടൌണിലും കണിച്ചുകുളങ്ങരയിലും കൂടാൻ നിശ്ചയിച്ചിരുന്ന പൊതുയോഗങ്ങളിൽ നടന്ന അനിഷ്ടസംഭവങ്ങളേയും ഈ സംഭവങ്ങളെ സംബന്ധിച്ചു് പോലീസുകാരും അധി

[Mr. Muruvelil Pachu Pillai.]

കൃതന്മാരായ മററു ഉദ്യോഗസ്ഥന്മാരും അംഗീകരിച്ച നയത്തേയും അനുവർത്തിച്ച നടപടിയേയും ഈ കൗൺസിലിന്റെ ഗൗരവതരമായ ആലോചനക്കും നിർദ്ദാക്ഷിണ്യമായ തീരുമാനത്തിനും സമർപ്പിക്കണമെന്നുദ്ദേശിച്ച് ഞാൻ ഈ അടിയന്തിര പ്രമേയം ഹാജരാക്കീട്ടുള്ളതാണ്. എന്നാൽ അവിടെ നടന്ന സംഭവങ്ങളെ സംബന്ധിച്ച് പറയുന്നതിനു മുമ്പായി അതിന് ഹേതുവായിതീർന്ന ചില സംഗതികളെപ്പററി ആദ്യമായി വിവരിക്കേണ്ടിയിരിക്കുന്നു.

ചേർത്തല താലൂക്ക് മദ്യപാനത്തിലും മദ്യവ്യവസായത്തിലും വളരെ മുന്നിട്ടു നിൽക്കുന്ന ഒരു താലൂക്കാണെന്നുള്ളത് ഈ രാജ്യത്തെ രാജ്യഭരണറിപ്പോർട്ടിൽനിന്നുതന്നെ കാണാൻ സാധിക്കും. ആയിരത്തിനൂററിനാലിൽ പ്രസിദ്ധപ്പെടുത്തീട്ടുള്ള കണക്കനുസരിച്ച് ചേർത്തലതാലൂക്കിൽനിന്നും ഒരു കൊല്ലത്തിൽ ൧൪,൦൦൦ തെങ്ങുചെത്തി കള്ളെടുത്തുവരുന്നതായികാണുന്നു. ഇപ്രകാരം അമിതമായ മദ്യപാനംകൊണ്ട് സന്മാർഗ്ഗികപരമായും സാമ്പത്തികമായും ജനങ്ങൾ നാൾക്കുനാൾ ക്ഷയിച്ചുവരുന്നു എന്ന് ജനങ്ങൾക്കു ബോധ്യം വന്നപ്പോൾ ഏതുവിധത്തിലെങ്കിലും ഈ മദ്യപാനാസക്തിയെ കുറയ്ക്കുന്നതിനുവേണ്ടി അവിടത്തെ ജനങ്ങൾതന്നെ ചില ശ്രമങ്ങൾ ആരംഭിച്ചു. അങ്ങനെ ഒരു ശ്രമം അവിടെ തുടങ്ങിയത് ൧൧൦൫ മീനത്തിലാണ്. ഈ ശ്രമങ്ങളുടെ ഫലമായിട്ട് താലൂക്കിന്റെ പലഭാഗങ്ങളിലും പൊതുയോഗങ്ങൾ കൂടുകയും ഓരോ സ്ഥലങ്ങളിലും മദ്യവർജ്ജനത്തിനുവേണ്ടി പരിശ്രമിക്കുന്നതിന് പ്രത്യേകം പ്രത്യേകം കമ്മിററികൾ ഏർപ്പെടുത്തുകയും ചെയ്തു. ഇങ്ങനെ പൊതുയോഗങ്ങൾകൂടി ഓരോ സ്ഥലത്തും ഉള്ള ജനങ്ങളെ അവിടെ ക്ഷണിച്ചുവരുത്തി മദ്യപാനം കൊണ്ടുള്ള ദൂഷ്യങ്ങളെ എല്ലാം അവരെ പറഞ്ഞു മനസ്സിലാക്കുകയും നിവൃത്തിയുള്ളിടത്തോളം മദ്യവ്യവസായത്തിൽ ഏർപ്പെട്ടിരിക്കുന്ന തൊഴിലാളികളെ അതിൽനിന്ന് പിൻവലിക്കുന്നതിന് ശ്രമിക്കുകയും ചെയ്തപ്പോൾ അനേകം ആളുകൾ സ്വന്തമനസ്സാലെ, യാതൊരു വിധത്തിലുള്ള നിർബന്ധവും കൂടാതെ ആ തൊഴിലിൽനിന്നും വിരമിച്ചു. ഇതിനിടയിൽ ൧൦൩-ലേക്കും ൧൦൬-ലേക്കും ഉള്ള ഷാപ്പുലേലം അവിടെ നടന്നുകഴിഞ്ഞിരുന്നു. അതായത് ഈ ശ്രമം ആരംഭിക്കുന്നതിന് അല്പം മുമ്പായിട്ടാണ് ലേലം നടന്നത്. മദ്യവർജ്ജന ശ്രമത്തിന്റെ ഫലമായിട്ട് കൺട്രാക്ടർമാർ വളരെ വിഷമിക്കയും വളരെ പരിഭ്രമിക്കയും ചെയ്തു. ചെത്തുന്നതിന് അവക്ക് തെങ്ങുകിട്ടാ

തെവന്നു. ഷാപ്പുകെട്ടുന്നതിന് സ്ഥലം കിട്ടാതെയായി. ചെത്തുതൊഴിൽ നടത്തുന്നതിൽ ഏർപ്പെട്ടിരുന്ന ആളുകളേയും മുമ്പിലത്തെപ്പോലെ ലഭിക്കാതായിത്തീർന്നു. അപ്പോൾ എക്സൈസ്കാരും വളരെ പരിഭ്രമിച്ചു. ഓരോ കൺട്രാക്ടരും അതാതുസമയത്തു അടയ്ക്കേണ്ട ഡേമണിയും തവണയും ശരിയായി അടയ്ക്കുന്നതിന് നിവൃത്തിഇല്ലാതെ അവരും വളരെ പരുങ്ങലിലായി. ഇത്രയും ആയപ്പോൾ ഇതിന് എന്താണ് നിവൃത്തി എന്ന് ആലോചിച്ചുകൊണ്ട് കൺട്രാക്ടർമാർ ഏതാനംപേർ സംഘം ചേർന്ന് തിരുവനന്തപുരത്ത് ഒരു ഡെപ്യൂട്ടേഷൻവന്ന് അധികാരികളോട് ഈ വിഷമസ്ഥിതികളെപ്പററി ധരിപ്പിച്ചു. അതുകഴിഞ്ഞ് കുറച്ചുകഴിഞ്ഞപ്പോൾ എക്സൈസ്കമ്മീഷണർ ഇതിനേപ്പററി അന്വേഷിക്കുന്നതിന് ചേർത്തലതാലൂക്കിൽ സക്കീട്ടുവന്നു. അപ്പോൾ കൺട്രാക്ടർമാർഎല്ലാപേരുംകൂടിചേർന്ന് ഇവിടെ ആരംഭിച്ചിട്ടുള്ള മദ്യവർജ്ജനശ്രമംമൂലം തങ്ങൾക്ക് ഈ തൊഴിൽ ആദായകരമായി നടത്തുവാൻ നിവൃത്തി ഇല്ല, അതുകൊണ്ട് കൺട്രാക്ടിൽനിന്ന് തങ്ങളെ ഒഴിവാക്കണമെന്ന് അടിയന്ത്രത്തിൽ ഹർജി അയച്ചു. ഇത്രയും ആയപ്പോൾ ചേർത്തലതാലൂക്കിൽനിന്ന് ഗവൺമെൻറിലേക്ക് എക്സൈസ്റവന്യൂവകയിൽ വലുതായ ഒരുതുക കിട്ടിക്കൊണ്ടിരുന്നത് കഴിഞ്ഞകൊല്ലത്തേപ്പോലെതന്നെഈകൊല്ലത്തിലും ലഭിയ്ക്കും എന്ന തീർച്ചപ്പെടുത്താൻയാതൊരുമാർഗ്ഗവും ഇല്ലാതായി, അതിനാൽ ഇതുനിമിത്തം പല കുഴപ്പവും ഉണ്ടാകും എന്നുതന്നെ എക്സൈസ്കമ്മീഷണരും തീരുമാനിച്ചു. തൽക്കാലം ഈ കൺട്രാക്ടർമാരോട് അധികൃതന്മാർ പലസമാധാനവും പറഞ്ഞു എങ്കിലും പിന്നീടുപലസന്ദർഭങ്ങളിലും ഇതിനെപ്പററി എന്തുപരിഹാരമാണുണ്ടാക്കേണ്ടതെന്ന് ആലോചന നടത്തിക്കൊണ്ടിരുന്നു. അതിലേക്ക് എക്സൈസ്കാരും പോലീസ്സുകാരുംകൂടിചേർന്ന് പല കാൺഫ്റൻസുകളും നടത്തി. അതിനെസംബന്ധിച്ച് ഞാൻ ഈ കൗൺസിലിലേക്ക് പല ചോദ്യങ്ങളും അയച്ചിട്ടുണ്ട്. എക്സൈസ്കമ്മീഷണർലേലം കഴിഞ്ഞ ശേഷം എത്ര തവണ ചേർത്തലതാലൂക്കിൽ സക്കീട്ടുവന്നിട്ടുണ്ട്, വന്നിട്ടുള്ള ആണ്ടുമാസം തീയതികൾ, കോട്ടയം ഡി. എസ്സ്. പി. എത്രതവണ സക്കീട്ടുവന്നിട്ടുണ്ട്, അവർ രണ്ടുപേരും വന്നത് ഒരു തീയതിയിലാണോ എന്നീവിവരങ്ങൾ ഞാൻആവശ്യപ്പെട്ടിട്ടുണ്ട്. എനിക്ക് കിട്ടീട്ടുള്ള ശരിയായ അറിവുകളെ വച്ചു പറയുകയാണെങ്കിൽ എക്സൈസ്കമ്മീഷണർ അവിടെ സക്കീട്ടുവന്നിട്ടുള്ള പല അവസരങ്ങളിലുംകോട്ടയം ഡി. എസ്സ്. പി. യും അവിടെ സക്കീട്ടുവന്ന് രണ്ടുപേരുംഒരേസ്ഥലത്ത് ക്യാമ്പുചെയ്തു ഒരു കെട്ടിടത്തിൽ

[Mr. Muruvelil Pachu Pillai.]

അതായത് ററി. ബി. യിൽ താമസിച്ച് സമീപസ്ഥലത്തെ പോലീസ്സുദ്യോഗസ്ഥന്മാരെ പലരേയും വിളിച്ചുവരുത്തി അവർതമ്മിൽ പല ആലോചനകളും നടത്തീട്ടുണ്ട്.

MR. P. GOMATINAYAKAM PILLAI (*Excise Commissioner*): എക്സൈസ് കമ്മീഷണർ എത്രതവണ അവിടെ സഞ്ചരിട്ടുവന്നിട്ടുണ്ട്?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): എത്രതവണ സഞ്ചരിട്ടുവന്നിട്ടുണ്ട് എന്നു സൂക്ഷ്മം അറിയുന്നതിനുവേണ്ടി ഞാൻ ചോദ്യം അയച്ചിട്ടുണ്ട്. ൧൦൪-ൽ വന്നതിനേക്കാറം ൧൦൫-ൽ ലേലം കഴിഞ്ഞതിനുശേഷം എത്ര തവണ വന്നിട്ടുണ്ട് എന്നുള്ള സംഗതികറം അറിയുന്നതിന് ഞാൻ ചോദ്യം അയച്ചിട്ടുണ്ട്.

MR. P. GOMATINAYAKAM PILLAI (*Excise Commissioner*): രണ്ടിലധികം പ്രാവശ്യം എക്സൈസ് കമ്മീഷണർ വന്നിട്ടില്ലാ എന്ന് അറിയാമോ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): അതു് ൧൦൫-ലാണോ?

MR. P. GOMATINAYAKAM PILLAI (*Excise Commissioner*): ൧൦൫-ൽ ലേലം കഴിഞ്ഞശേഷം ൧൦൬-ത്തുലാംവരെ രണ്ടിലധികം പ്രാവശ്യം എക്സൈസ് കമ്മീഷണർ അവിടെ സഞ്ചരിട്ടുവന്നിട്ടുണ്ടോ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): അതു് എനിക്കു നിശ്ചയമില്ല. അദ്ദേഹം പതിവിന് വിപരീതമായിട്ട് കൂടുതൽ തവണ സഞ്ചരിട്ടുവന്നിട്ടുണ്ടെന്ന് എനിക്കു് ധൈര്യമായി പറയാൻ കഴിയും. ൧൦൪-ൽ വന്നതിനേക്കാറം കൂടുതൽ പ്രാവശ്യം ൧൦൫-ലെ ലേലം കഴിഞ്ഞതിനുശേഷം സഞ്ചരിട്ടു വന്നിട്ടുണ്ട്. വന്നിട്ടുള്ള അവസരങ്ങളിൽ അദ്ദേഹവും ഡി. എസ്സ്. പി. യുമായി കൂടിആലോചിച്ചിട്ടുമുണ്ട്. എന്നാൽ ആലോചന എന്തായിരുന്നു എന്ന് എനിക്കു് സൂക്ഷ്മമായിട്ട് പറയാൻ സാധിക്കയില്ല. അവർ തമ്മിൽകൂടിആലോചന നടത്തിയതിന്റെ ശേഷം ഉണ്ടായിട്ടുള്ള സംഭവങ്ങളെപ്പററി ആലോചിക്കുകയാണെങ്കിൽ, അതായതു് ആവക സംഗതികറം എല്ലാംകൂടിചേർത്തു പര്യാലോചിക്കുമ്പോറം, ഏതുവിധത്തിലും ഇപ്പോഴത്തെ മദ്യവർജ്ജന പ്രസ്ഥാനത്തെ അടിച്ചമർത്തണം എന്നായിരുന്നു അവരുടെ ആലോചന എന്ന് അനുമാനിക്കാൻ ധാരാളം ന്യായം ഉണ്ട്. അതിന് വേണ്ടിടത്തോളം മററു സംഗതികളുംഉണ്ട്. അവയെ ഞാൻ വഴിയേ പ്രസ്താവിക്കാം. അവർ കൂടിയാലോചന നടത്തിയതിന്റെശേഷം ആദ്യമായി

മർദ്ദനനയം പ്രയോഗിക്കാനാണ് തീരുമാനംചെയ്തതു്. എന്നാൽ ആവകസംഗതികൾ എല്ലാം സ്പഷ്ടമാക്കണം എന്നു ഞാൻ വിചാരിയ്ക്കുന്നില്ല. കോടതികളിൽ ഇരിക്കുന്ന കേസുകളെക്കൂടി അതു സംബന്ധിക്കുമെന്നുള്ളതുകൊണ്ട് അതിനെപ്പററിയാതൊന്നും പറയുന്നില്ല. അതിനുശേഷം അതിൽ മുന്നിട്ടുനിന്നു പ്രവൃത്തിച്ചവരായരണ്ടാളുകളെ അവരുടെ പ്രസംഗംനിരോധിച്ച് ഡിസ്ട്രിക്ററ് മജിസ്ട്രേട്ടിനെക്കൊണ്ട് ഒരാജ്ഞ പുറപ്പെടുവിച്ചു. അദ്ദേഹം നിരോധനാജ്ഞ കൊടുത്തതു് മെസ്സേഴ്സ് ഗോപാലകൃഷ്ണൻ, ഗോപാലൻ നായർ എന്ന രണ്ടുയുവാക്കന്മാർക്കാണ്. ഡിസ്ട്രിക്ററ് മജിസ്ട്രേട്ടിന്റെ ഈ നിരോധനാജ്ഞയെ ഇവർ കന്നിമാസം ൧൯-ാംനു- ലംഘിച്ചു. ആ ആജ്ഞയെ ലംഘിക്കുന്നതിനു് അവരെ പ്രേരിപ്പിച്ചതു് അവരുടെ സ്വന്തഅഭിപ്രായം മാത്രമാണ്. അല്ലാതെ അങ്ങിനെ പ്രവൃത്തിക്കുന്നതിനു് താലൂക്കിലുള്ള പൊതു ജനങ്ങളുടെയാതൊരുവക ആനുകൂല്യവും അവർക്കുണ്ടായിരുന്നില്ലാ. മദ്യവർജ്ജന പ്രസ്ഥാനത്തിനുവേണ്ടി ശ്രമിയ്ക്കുന്നതിനും മററുമായി അവിടെ യൂത്ത്ലീഗ് എന്നൊരു സംഘം സ്ഥാപിച്ചിട്ടുണ്ട്. ഈ യൂത്ത്ലീഗിൽ നിന്നും ഈ ആജ്ഞയെ ഒരിക്കലും ലംഘിക്കാൻ പാടില്ലാഎന്നു് നിശ്ചയം പാസാക്കിയിട്ടുണ്ട്. ആ നിശ്ചയത്തിനു വിപരീതമായി ആജ്ഞയെ ലംഘിയ്ക്കേണ്ടിവന്നതു കൊണ്ട് അവരിൽ ഒരാൾ ആ യൂത്ത്ലീഗിൽ ഉണ്ടായിരുന്ന മെമ്പർസ്ഥാനംരാജികൊടുക്കേണ്ടതായിട്ടുവന്നു. ഇങ്ങനെ പൊതുജനങ്ങളുടെ ആനുകൂല്യത്തോടുകൂടിയോ അവരുടെ അഭിപ്രായത്തോടുകൂടിയോ അല്ലാ ഇവർ ഈ ആജ്ഞയെ ലംഘിച്ചതു് എന്നുള്ളസംഗതി ഞാൻ ഈ കൌൺസിലിൽ ഉറപ്പായി പ്രസ്താവിച്ചുകൊള്ളുന്നു.

ഞങ്ങളുടെ മദ്യവർജ്ജനപ്രസ്ഥാനം ഏററവും സമാധാനപരമായും ശാന്തമായും യാതൊരുവിധത്തിലുള്ള അക്രമങ്ങൾ പ്രവൃത്തിക്കാതേയും നിർദ്ദോഷമായും നടത്തിക്കൊണ്ടുപോവുകയാണു ചെയ്തിട്ടുള്ളതു്. അങ്ങനെ ഈ പ്രസ്ഥാനം നടത്തിയതിന്റെ ഫലമായിട്ടാണ് മദ്യവ്യവസായത്തിനുസാരമായ ഉടവുതട്ടിയതു്. അതിനാൽ ഏതുവിധവും ഈ പ്രസ്ഥാനത്തെ ഇല്ലാതാക്കണമെന്നുള്ള ഉദ്ദേശത്തോടുകൂടി ഉദ്യോഗസ്ഥന്മാരിൽ ചിലർ ശ്രമംചെയ്തതിന്റെ ഫലമായിട്ടാണ് ഈ അനിഷ്ടസംഭവങ്ങൾ ഉണ്ടാകാനിടയായതു് എന്നുള്ളതിനു സംശയമില്ല. ആജ്ഞയെ ലംഘിച്ചതിലേയ്ക്കു് കന്നി ൧൦-ാംതീയതി അവരെശിക്ഷിച്ചു. ശിക്ഷിക്കപ്പെട്ടവർ രണ്ടുപേരേയും, അവർ മദ്യവർജ്ജന പ്രസ്ഥാനത്തിനു

[Mr. Muruvelil Pachu Pillai.]

വേണ്ടി പ്രവർത്തിച്ചവരായിരുന്നതുകൊണ്ട്, അനുമോദിക്കുന്നതിനും ടൌണിൽ ഒരു മദ്യവർജ്ജനകമ്മിററി രൂപീകരിക്കുന്നതിനുംവേണ്ടി ൧൯-ാംതീയതി ഒരു പൊതുയോഗംകൂടാൻ തീർച്ചപ്പെടുത്തി നോട്ടീസുകൾ പ്രചരിപ്പിച്ചിരുന്നു.

MR. ITTOOP ITTEECHAN (*Kunnatnad*) : ആ നോട്ടീസിൽ പറഞ്ഞിരുന്നത്, മദ്യവർജ്ജനപ്രസ്ഥാനത്തോടു ഇവർ അനുകൂലിച്ചു പ്രസംഗം നടത്തിയതുകൊണ്ടു ഇവരെ അനുമോദിക്കണമെന്നോ, അതല്ലാ ഗവണ്മെൻറിൻെറ ആജ്ഞയെ ലംഘിച്ചതുകൊണ്ട് ഇവരെ അനുമോദിക്കണമെന്നോ, എങ്ങിനെയാണ്?

MR. MURUVELIL PACHU PILLAI (*Shertallai*). അതു് ആ നോട്ടീസിൽതന്നെ സ്പഷ്ടമായിപറഞ്ഞിട്ടുണ്ട്. ഇവർ മദ്യവർജ്ജനപ്രവൃത്തകന്മാരായിരുന്നതുകൊണ്ട് ആ പ്രവൃത്തകന്മാരുടെ നിലയിൽ മാത്രം അവരെ അനുമോദിക്കുന്നതിനുവേണ്ടിയാണ്. ഡിസ്ട്രിക്ട് മജിസ്ട്രേട്ടുകൊടുത്ത നിരോധനാജ്ഞയെ ലംഘിച്ച് ശിക്ഷവാങ്ങിച്ചതിലേക്ക് അതായതു് നിയമനിഷേധം ചെയ്തതിലേക്കു അവരെ അനുമോദിക്കണമെന്നു ചേർത്തല നിവാസികൾ ഒരിക്കലും വിചാരിച്ചിട്ടില്ല. ആ സംഗതി അതിലേക്കു വേണ്ടിഅച്ചടിപ്പിച്ചു പ്രചരിപ്പിച്ചിട്ടുള്ള നോട്ടീസുകൊണ്ടുതന്നെകാണിൻ കഴിയുന്നതാണ്.

MR. ITTOOP ITTEECHAN (*Kunnatnad*) : നിയമലംഘനം ചെയ്തതു് ഏതുതീയതിയിലാണ്?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): അതു് കന്നി ൧൬-നു- ആയിരുന്നു. അവരെ ശിക്ഷിച്ചതു കന്നി ൧൭-നു- ആയിരുന്നു. ഈ യോഗംകൂടാൻ നിശ്ചയിച്ചതു് കന്നി ൧൯-നു- ആയിരുന്നു.

മദ്യവർജ്ജന പ്രവർത്തകരെന്ന നിലയിൽ പ്രവൃത്തിച്ചതുനിമിത്തം ഈ ശിക്ഷവരാൻ ഇടവന്നല്ലോ എന്നുള്ള വിചാരത്താൽ മദ്യവർജ്ജനപ്രവർത്തകരുടെ നിലയിൽമാത്രം അവരെഅനുമോദിക്കുന്നതിനും ഒരുകമ്മിററി രൂപവൽകരിക്കുന്നതിനും വേണ്ടിമാത്രമാണ് ൧൯-ാംനു- യോഗംകൂടുവാൻ നിശ്ചയിച്ചതു്.

ഇപ്രകാരമുള്ള യോഗങ്ങൾ ഇനിയും തുടൎന്നു നടത്തിക്കൊണ്ടുപോകുന്നതിന് അനുവദിക്കുന്നതു ഒരുവിധത്തിലും നന്നായിരിക്കുകയില്ല. ഈ യോഗങ്ങളിൽ അനവധി ആളുകൾ വന്നുചേരുന്നതിനു ഇടവരികയും തന്നിമിത്തം മദ്യവർജ്ജനപ്രസ്ഥാനം നാൾക്കുനാൾ വളരെശക്തിപ്പെട്ടുവരികയും ചെയ്യും. ഓരോ സ്ഥലത്തിലുമുള്ള എല്ലാ ജാതിമതസ്ഥന്മാരിൽ പ്ര

മാണികളായ പലരും ഈ പ്രസ്ഥാനത്തോട് വളരെ അനുഭാവം പ്രദർശിപ്പിക്കുന്നു. ഇങ്ങനെവരുമ്പോൾ ചെത്തുന്നതിനു തെങ്ങ് കിട്ടുന്നതിനും ഷാപ്പുകെട്ടാൻ സ്ഥലം കിട്ടുന്നതിനും വളരെ വിഷമം ഉണ്ടാകും. ഇവയെ തടുക്കുന്നതിനു മററു യാതൊരു പ്രവൃത്തികൊണ്ടും യാതൊരു ഫലവും ഉണ്ടാകുകയില്ല. അതുകൊണ്ട് ഈ പ്രസ്ഥാനത്തെ വിജയകരമാക്കിത്തീക്കാതിരിക്കണമെങ്കിൽ തീച്ചയായിട്ടും ഈ യോഗങ്ങളെ തടയുകതന്നെ വേണം എന്നു തീരുമാനിച്ചു കൊണ്ട് ൧൯-൦൦൬-യിലെ യോഗത്തിൽ ഏതാനും ആളുകളെ, പോലീസുദ്യോഗസ്ഥന്മാരുടെ ഉത്സാഹത്തിലും അവരുടെ സഹായ സഹകരണത്തിലും യോഗത്തിൽ കടത്തിവിടുന്നതിനു അവിടെ തയാറാക്കികൊണ്ട് വന്ന് നിറുത്തിയിരുന്നു.

സ്ഥലത്തെ മുൻസീഫ്കോടതി വക്കീൽ മി. ഗോപാലകൃഷ്ണപ്രഭുവിനെ പ്രസിഡൻറ് സ്ഥാനത്തേക്ക് പുളിയംകോട്ട് മി വാസുകുറുപ്പു എന്ന മാന്യൻപ്രപ്പോസ്സ് ചെയ്യുകയും വേറൊരാൾ അതിനെഅനുകൂലിക്കുകയും ചെയ്തസമയം അവിടെ കൊണ്ടുവന്ന് നിറുത്തിയിരുന്നവരിൽഒരാൾ. ...

MR. A. S. DAMODARAN ASAN (*Mavelikahra* cum *Kartikapalli*): ൧൯-൩- കൂടിയ യോഗത്തിൽ ആക്കെങ്കിലും പ്രവേശനം ഇല്ലാതെ ഉണ്ടായിരുന്നുവോ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): യോഗത്തിൽ പ്രവേശനം ആക്കും നിരോധിച്ചിരുന്നില്ല. എന്നാൽ റൌഡികളും ആഭാസന്മാരുമായ ആളുകൾ യോഗത്തിൽകടന്ന് അക്രമങ്ങൾ പ്രവൃത്തിക്കുമെന്ന് പ്രതീക്ഷിച്ചിരുന്നതുമില്ല.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): പോലീസുകാർ കടത്തിവിട്ട ആളുകൾ ഏതു തരത്തിലുള്ള ആളുകളാണ്.

MR. MURUVELIL PACHU PILLAI (*Shertallai*): അവരിൽ പലതരക്കാരും ഉൾപ്പെട്ടിരുന്നു പലരും റൌഡികളാണ. ആ താലൂക്കിൽ ഒരു നിലയും വിലയും ഇല്ലാത്തയാളുകളാണ്. കൂലിവേലക്കാരും കാലക്ഷേപത്തിന് ഒരു ഗതിയും ഇല്ലാത്തവരും ഈ കൂട്ടത്തിൽ ഉൾപ്പെട്ടിരുന്നു.

MR. P. GOMATINAYAKAM PILLAI (*Excise Commissioner*): ഈയോഗം കൂടിയ ൧൯-൦൦൩- മെംബർ ആ സ്ഥലത്തുണ്ടായിരുന്നുവൊ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ൧൮-൩- വൈകുന്നേരം ഞാൻ മദ്രാസിൽനിന്നും തിരിച്ചു വന്നു. ൧൯-൩-ഞാൻ ചേത്തല ഉണ്ടായിരുന്നു. എന്നാൽ സംഭവം നടന്ന സമയം അവിടെ ഉണ്ടായിരുന്നില്ല.

MR. P. GOMATINAYAKAM PILLAI (*Excise Commissioner*): അപ്പോൾ ഈ പറഞ്ഞതൊക്കെ കേൾവിയാണ്. അല്ലെ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ഞാൻ ഈ സംഭവങ്ങൾക്ക് ഒരു ദൃക്സാക്ഷിആയിരുന്നൊ എന്ന് ചോദിക്കുകയായിരിക്കും. എന്നാൽ ഞാൻ പറയുന്നസംഗതികൾ വിശ്വാസയോഗ്യമായി കിട്ടിയ അറിവുകളെ ആസ്പദമാക്കി ഉത്തമ വിശ്വാസത്തോടുകൂടി പറയുന്നവയാണ്.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ഈ ൧൯-൩-ക്ക് മുമ്പും യോഗങ്ങൾ ഉണ്ടായിരുന്നില്ലെ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*) : ധാരാളം ഉണ്ടായിരുന്നു.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : അന്ന് ഈ അനിഷ്ടസംഭവങ്ങൾ വല്ലതും ഉണ്ടായിരുന്നുവൊ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): യാതൊന്നുംതന്നെ ഇല്ലായിരുന്നു.

ഈ അക്രമികളെ ഉദ്യോഗസ്ഥന്മാർകടത്തിവിട്ടതാണ് എന്നു ഈ നേരിട്ടുകണ്ടതായി പറയാൻ സാധിച്ചില്ലെങ്കിലും മററു സംഗതികളെ ക്കൊണ്ടുഅതു അനുമാനിക്കാൻ ധാരാളംന്യായമുണ്ടു. ഈ യോഗത്തെതടയണമെന്നു പോലീസുകാർക്ക് വിചാരംഇല്ലായിരുന്നു എങ്കിൽ അന്യസ്ഥലങ്ങളിൽനിന്നും വിശേഷാൽ ആയി പോലീസുകാരെവരുത്തേണ്ട ആവശ്യമില്ലായിരുന്നു. ൧൯-൩-ലെ യോഗത്തിന് വൈക്കംതാലൂക്കിലെ പോലീസ് ഇൻസ്പെക്ടരേയും കത്തിയതോട്ട് പോലീസ് ഇൻസ്പെക്ടരേയും കുറെ പോലീസുകാരേയും വിശേഷാൽഅവിടെ വരുത്തിയിട്ടുണ്ടായിരുന്നു.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*) : ചേർത്തല താലൂക്കിൽ ഇതിനു മുമ്പ് എപ്പോഴെങ്കിലും ഗവൺമെൻറിൻെറ ആജ്ഞയെ ലംഘിച്ചതായ ഒരു സംഭവം ഉണ്ടായിട്ടുണ്ടൊ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ഇതുവരെ ഉണ്ടായിയിട്ടില്ല. ചേർത്തലക്കാർ ഗവൺമെൻറിൻെറ ആജ്ഞയെ അതിലംഘിച്ചു നടക്കുന്നവരല്ല. തിരുവിതാംകൂർ ഗവൺമെൻറായാലും ബ്രിട്ടീഷ് ഗവൺമെൻറായാലും അവർ വളരെ ഭക്തിയോടുകൂടി കരുതുന്നവരാണ്. മഹായുദ്ധം നടന്നകാലത്തു് സൈന്യത്തിൽ ചേരുവാൻ ആളുകളെ അയയ്ക്കണമെന്നു ആവശ്യപ്പെട്ടപ്പോൾ അധികം ആളുകളെ റിക്രൂട്ട് ചെയ്തു് അയച്ച ഒരു താലൂക്കാണ് ചേർത്തല. അങ്ങിനെ കൂടുതൽ ആളുകളെ അയച്ചതിന്റ് സ്മാരകമായി വാർസ്തംഭം

ഉണ്ടാക്കിയിട്ടുള്ളതു് രണ്ടോ മൂന്നോ താലൂക്കുകൾ മാത്രമെയുള്ളു. ഈ കൂട്ടത്തിൽ അങ്ങിനെയുള്ള ഒരു സ്തംഭം ചേൎത്തലതാലൂക്കു കച്ചേരിയുടെ മുമ്പിൽ സ്ഥാപിച്ചിട്ടുണ്ടു്. അതുപോലെ ഡിബെഞ്ചുവർ ബോണ്ടിനും ധാരാളം പണം കൊടുത്തു ഗവണ്മെൻറിനെ സഹായിച്ചിട്ടുള്ളവരാണു് ചേൎത്തലക്കാർ.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ഈ എൻ-ഡ-ക്ക മുമ്പു് ഗവണ്മെൻറിനു നഷ്ടംവരുത്തണമെന്നു വിചാരിച്ചു വല്ല പദ്ധതിയും അവിടെ രൂപീകരിച്ചിട്ടുണ്ടായിരുന്നോ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ഇല്ല. എന്നാൽ ഞങ്ങളുടെ മദ്യവൎജ്ജനപ്രസ്ഥാനംകൊണ്ടു് ഗവണ്മെൻറിൻെറ എക്സൈസ് ഇനത്തിലുള്ള വരുമാനത്തിനു ധാരാളം കുറവു വരുമെന്നു് വിചാരിക്കാൻ സംഗതികൾ ഉണ്ടായിട്ടുണ്ടു്.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): May I ask Mr. Pachu Pillai whether at any of those meetings, inflamatory speeches were delivered by any one?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ഇങ്ങിനെയുള്ള ചില മീററിംഗുകളിൽ ചിലപ്പോൾ ഞാൻ അദ്ധ്യക്ഷനായിട്ടും പ്രാസംഗികനായിട്ടും സംബന്ധിക്കാൻ ഇടയായിട്ടുണ്ടു്. എന്നാൽ അങ്ങിനെയുള്ള അവസരത്തിൽ ഈ മാതിരിയുള്ള സ്പീച്ചു ഒന്നും നടന്നതായിട്ടു പറയാൻസാധിക്കുകയില്ല. അഥവാ അങ്ങിനെ ചിലപ്രസംഗങ്ങൾ വല്ല അവസരങ്ങളിലും ഉണ്ടായിട്ടുണ്ടെന്നിരുന്നാൽ തന്നെയും ആ വക പ്രസംഗങ്ങളെ വേണ്ട പ്രകാരത്തിൽ തടയുന്നതുകൊണ്ടു യാതൊരു വിരോധവുമില്ല. അപ്രകാരം ഗവണ്മെൻറിനോ അധികാരമുള്ള മററു ഉദ്യോഗസ്ഥന്മാൎക്കോ ശരിയായ ബോദ്ധ്യംവന്നതിനുശേഷമാണോ ഈ രണ്ടു പേരുടേയും പ്രസംഗത്തെ തടഞ്ഞതു് എന്നു് സംശയമാണു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അവരുടെ പ്രസംഗങ്ങളെ തടയുകയും അവരുടെ പേരിൽ കേസെടുക്കുകയും ചെയ്യാമെല്ലോ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*); അതൊക്കെ ചെയ്യാം. ചേൎത്തല ടൌണിൻെറ ഒരു ഭാഗത്തു് ഒരു മൂലയിൽ നടന്ന ഒരു സംഭവത്തെ ആസ്പദമാക്കിക്കൊണ്ടു്, ചേൎത്തല താലൂക്കിലുള്ള ൧൭ പകുതികളിലും മേലാൽ യാതൊരു യോഗവും നടക്കാൻ പാടില്ലാ എന്നാണു് ഇപ്പോൾ നിരോധനാജ്ഞ പുറപ്പെടുവിച്ചിരിക്കുന്നതു്. ആ

[Mr. Muruvelil Pachu Pillai]

ആജ്ഞ ഇപ്പോഴും ഊൎജ്ജിതത്തിൽ ഇരിക്കുന്നു. ൧൯൨-൩-ലെ യോഗത്തിൽ ആളുകളെ കടത്തി വിട്ടകാൎയ്യം തന്നെ തുടരാം.

MR. V. J. OOMMEN (*Commerce and Industry, North*): ചേൎത്തലപോലീസ് ഇൻസ്പെക്ടർ ഈ സമയത്തു് ആ സ്ഥലത്തുണ്ടായിരുന്നുവോ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ഉണ്ടായിരുന്നു. ചേൎത്തലപോലീസ് ഇൻസ്പെക്ടരും കുത്തിയതോട്ട പോലീസ് ഇൻസ്പെക്ടരും കുറെ അകമ്പടിക്കാരായ പോലീസുകാരും അവിടെ ഉണ്ടായിരുന്നു. അവരുടെ അനുചരന്മാരായി തെരഞ്ഞെടുത്ത കുറെ റൗഡികളും ഉണ്ടായിരുന്നു. പോലീസുകാർ ഇതെല്ലാം നോക്കിക്കൊണ്ടു് നിന്നു് രസിച്ചതല്ലാതെ അതിനെ തടയാൻ യാതൊരു പ്രവൃത്തിയും ചെയ്തില്ല.

MR. ITTOOP ITTEECHAN (*Kunnatnad*): അവർ അവിടെ എന്താണു പ്രവൎത്തിച്ചതു്?

MR. MURUVELIL PACHU PILLAI (*Shertallai*) : അവിടെ കയറിനിന്നു് പ്രസംഗിച്ച, മററുള്ള ആളുകൾ പറയാൻ തുടങ്ങുകയാണെങ്കിൽ വടി കാണിച്ചുകൊണ്ടു് അവരെ തടസ്സം ചെയ്തു. ഈ വക പ്രവൃത്തികൾ എല്ലാം അവിടെ നടക്കുന്നതു കണ്ടുകൊണ്ടു പോലീസ്‌കാർ രസിച്ചു് സന്തോഷിച്ചു തുള്ളിക്കളിക്കയായിരുന്നു. നിങ്ങൾ ഒട്ടും അധൈൎയ്യപ്പെടേണ്ട. ശരിയായി പ്രവൎത്തിക്കുവിൻ. ഭയപ്പെടേണ്ട ആവശ്യമെയില്ല, സഹായത്തിനു ഞങ്ങളുണ്ടു് എന്നുള്ള നാട്യത്തോടുകൂടി പോലീസുകാർ അവിടെ നിന്നു.

MR. ITTOOP ITTEECHAN (*Kunnatnad*) അവർ അവിടെ നടന്ന പ്രസംഗചാതുൎയ്യം കേട്ടു രസിച്ചതായിരിക്കുമോ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): അവരുടെ പ്രസംഗത്തിന്റെ ചാതുൎയ്യം കേട്ടു രസിക്കാനൊന്നുമില്ല അവർ പറയുന്ന അക്ഷരംതന്നെ ശരിയായി തിരിച്ചറിയാൻ പാടില്ലാത്ത നിലയിലായിരുന്നു അവരുടെ പ്രസംഗം. അങ്ങിനെയുള്ള പ്രസംഗം കേട്ടുരസിക്കാനൊന്നുമുണ്ടായിരുന്നില്ല. അവരുടെ ഉദ്ദേശം സാധിക്കത്തക്കവണ്ണം അവർ തയ്യാറാക്കി നിറുത്തിയ ആളുകൾ പ്രവൎത്തിക്കുന്നു എന്നു് കണ്ടപ്പോഴാണു് അവർ രസിച്ചുകൊണ്ടുനിന്നതു്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): യോഗശാലയിൽ ഇപ്രകാരമുള്ള ആളുകൾ കൂടിയിരിക്കുന്നു.

അതുകൊണ്ടു അവരെ മാററിതരണമെന്ന് ആരെങ്കിലും പോലീസുകാരോട്ട് അപേക്ഷിച്ചിട്ടുണ്ടോ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*) : അവരോട്ട് പ്രത്യേകമായിട്ട് അപേക്ഷിച്ചുവൊ എന്ന് എനിക്കു പറയാൻ സാധിക്കുകയില്ല.

MR. KAYALAM PARAMESAVRAN PILLAI (*Additional Head Sirkar Vakil*) : യോഗശാലക്ക് അകത്താണോ അവർ നിന്നിരുന്നത്?

MR. MURUVELIL PACHU PILLAI (*Shertallai*) : യോഗം നടന്നതു പ്രത്യേകം കെട്ടിടത്തിലല്ല, മൈതാനത്തിലാണ്.

ഏതാനും ആളുകൾ വടി, തടി മുതലായ ആയുധങ്ങളോടുകൂടി അവിടെകടന്നുവന്നിരിക്കുന്നതുകൊണ്ടു് പോലീസുകാർക്കു വേണമെങ്കിൽ ആരുടേയും അപേക്ഷ കൂടാതെതന്നെ തടയാവുന്നതാണ്.

PRESIDENT : You have to bear in mind, Mr. Pachu Pillai, that you have already taken up 20 minutes, the usual time allotted for such speeches.

You must bear in mind the time now, Mr. Pachu Pillai.

മെമ്പറിൻെറ ൨൦ മിന്നിട്ടുകഴിഞ്ഞു് ഇപ്പോൾ ൨൦ മിന്നിട്ട് ആയിരിക്കുന്നു.

MR. MURUVELIL PACHU PILLAI (*Shertallai*) : പ്രസിഡൻറ് അവർകൾക്ക് യുക്തമെന്ന് തോന്നുന്നുഎങ്കിൽ കൂടുതൽ സമയം അനുവദിക്കാം.

PRESIDENT : The time is up. I will allow you 5 minutes more.

MR. MURUVELIL PACHU PILLAI (*Shertallai*) : പോലീസുകാർക്കു അവരുടെമേൽ കേസെടുത്ത് നടപടിനടത്താം. അത് അവർ എടുത്തില്ല. സമാധാനലംഘനം ഉണ്ടാക്കാൻവന്നിരിക്കുകയാണു അവർ എന്നു പ്രത്യക്ഷമായി. അതിനെ വേറെപ്രകാരത്തിൽ തടയുന്നതിനു നിവൃത്തിയില്ലെങ്കിൽ ക്രിമിനൽനടപടിനിയമപ്രകാരം അവരെ അറസ്റ്റ് ചെയ്യുന്നതിന് പോലീസുകാർക്കു അധികാരമുണ്ട്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : യോഗത്തിൽ ഹാജരാകാൻ വന്നിരുന്നവരെ അറസ്റ്റ്ചെയ്തു എന്ന് അവർ പരാതിപറയുകയില്ലെ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*) : അവർ യോഗത്തിൽ ഹാജരാകാൻ വന്നവരാണൊ, അതല്ല കലാപവും വഴക്കും ഉണ്ടാക്കാൻ

[Mr. Muruvelil Pachu Pillai.]

വന്നവരാണൊ എന്നുള്ളതു് യോഗത്തിൽഹാജരായിട്ടുള്ള മാന്യന്മാരോട്ട് ചോദിച്ചാൽ അറിയാവുന്നതാണു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): കലാപം ഉണ്ടാക്കാൻ വന്ന ആളുകളേയും യോഗത്തിനു വരുന്ന ആളുകളേയും പോലീസുകാർക്കു തിരിച്ചറിയാൻവയ്യേ? (ചിരി.)

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ധാരാളം അറിയാം. ൧൯-ാംനു- നടന്ന സംഭവത്തെ തടയാഞ്ഞതു് ഇനിമേൽ യോഗംകൂട്ടുവാൻ പാടില്ലെന്നുള്ള നിരോധനാജ്ഞ ആവശ്യപ്പെടാനാണു്. യോഗം കൂടിയാൽ ഇനിമേലും സമാധാനലംഘനം ഉണ്ടാകും. അതുകൊണ്ടു് ഇനിയോഗം നടത്തുന്നതിനു അനുവദിക്കുവാൻ പാടില്ലെന്നും അതിനെ നിരോധിക്കണമെന്നും പോലീസുകാർ റിപ്പോർട്ടുചെയ്തു. ൨൪-ാംനു-ഒരു യോഗംകൂടാൻ നിശ്ചയിച്ചപ്പോൾ ൧൯-ാംനു-നടന്നസംഭവത്തെ ആസ്പദമാക്കി അതിനെ തടയണമെന്നു് ആവശ്യപ്പെട്ടു. ൨൪-ാംനു-ലെയോഗം സമാധാനമുണ്ടാക്കാൻ എന്താണു് വഴി എന്നു് ആലോചിക്കാൻ മാത്രം ആയിരുന്നു. ൧൯-ാംനു-ലെ സംഭവങ്ങൾക്കു് സമാധാനലംഘനം ഉണ്ടാക്കിയവരുടെപേരിൽ എന്തുകൊണ്ടു് ൯൦-ാം വകുപ്പിനു് കേസെടുത്തില്ല.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അങ്ങിനെ ചെയ്യണമെന്നു് ആരെങ്കിലും പോലീസുകാരോട്ട് അപേക്ഷിച്ചിട്ടുണ്ടോ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ആരും അവരോട്ട് അപേക്ഷിക്കേണ്ട ആവശ്യമില്ലല്ലൊ. പോലീസുകാർക്കുതന്നെ അധികാരമുണ്ടല്ലൊ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അവർക്കു അതിനു ചുമതലയും ഇല്ലെ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ചുമതലയും ഉണ്ടു്. അവർ അങ്ങിനെ ചെയ്തില്ല.

൧൯-ാംനു-നടന്ന സംഭവങ്ങളെപ്പററി ഞാൻ ജനപ്രതിനിധിയുടെ നിലയിൽ ദിവാൻജിക്കു ഒരു കമ്പി അയച്ചിട്ടുണ്ടായിരുന്നു. ൧൯-നു-നടന്ന സംഭവങ്ങളെ അടിസ്ഥാനമാക്കി ൨൪-ാംനു-ലെ യോഗവും തടയാൻ പോകുന്നു എന്നു കണ്ടപ്പോൾ ൨൨-നു- രജിസ്റ്റർ ചെയ്തു ഡിസ്ട്രിക്ട്

മജിസ്ട്രേട്ടിനു ഞാൻ ഒരു ലറ്റർ അയച്ചു. ൨൪-൯-൯൩-ലെ യോഗം ൧൯-൯-൯൩- നടന്ന സംഭവങ്ങളെപ്പററി ആലോചിക്കാൻ മാത്രം ൪൮ മാന്യപൗരന്മാർ ചേർന്നു പ്രസിദ്ധപ്പെടുത്തിയ നോട്ടീസനുസരിച്ചു കൂടുന്ന ഒരു യോഗമാണു്; അതിനെ ഒരു വിധത്തിലും തടയാൻ പാടില്ല; അതിൽ സംശയമുണ്ടെങ്കിൽ ഡിസ്ട്രിക്ട് മജിസ്ട്രേട്ട് തന്നെ സ്ഥലത്തു വന്നു ഇരുന്നു യോഗം നടത്തിതരണം; എന്നു എഴുതി അയച്ചിരുന്നു. ഇതിനുപുറമെ ൨൩-൯-൯൩- ചങ്ങനാശേരിയിൽ ചെന്നു് ഡിസ്ട്രിക്ട് മജിസ്ട്രേട്ടിനെ കണ്ടു സംഗതികൾ ധരിപ്പിച്ചു. ഞാൻ ചെന്നപ്പോൾ എക്സൈസ് കമ്മീഷണർ ഡിസ്ട്രിക്ട് മജിസ്ട്രേട്ടു താമസിക്കുന്ന സ്ഥലത്തുണ്ടായിരുന്നു. അദ്ദേഹത്തെ കൂടാതെ മിസ്റ്റർ ഡാനിയലും ചേർത്തല പോലീസ് ഇൻസ്പെക്ടർ മിസ്റ്റർ ഉണ്ണിത്താനും അവിടെ ഉണ്ടായിരുന്നു.

MR. P. GOMATINAYAKAM PILLAI (*Excise Commissioner*): എവിടെ ഉണ്ടായിരുന്നു?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ചങ്ങനാശേരിയിൽ.

MR. P. GOMATINAYAKAM PILLAI (*Excise Commissioner*): മിസ്റ്റർ ഡാനിയലും ഉണ്ടായിരുന്നുവോ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*). മിസ്റ്റർ ഡാനിയലും ഇൻസ്പെക്ടർ മിസ്റ്റർ ഉണ്ണിത്താനും ഡിസ്ട്രിക്ട് മജിസ്ട്രേട്ടിനെ കണ്ടിട്ടു പുറത്തു ഇറങ്ങി പോകുമ്പോൾ ഞാൻ അവരെ വഴിയിൽ വച്ചു കണ്ടു. അതിനുശേഷം ഞാൻ അകത്തു പോയി. അകത്തു എക്സൈസ് കമ്മീഷണരും ഉണ്ടായിരുന്നു. ഇതിൽ നിന്നും ൨൪-൯-ലെ ആർഡർ പുറപ്പെടുവിച്ച സമയം ഇവരെല്ലാം ഡിസ്ട്രിക്ട് മജിസ്ട്രേട്ടിന്റെ അടുത്തുചെന്നിരുന്നു എന്നും അതിന്റെ ഉദ്ദേശം നിരോധനാജ്ഞ വാങ്ങുന്നതിനാണെന്നും അനുമാനിക്കാവുന്നതാണ്.

MR. L. A. BISHOP (*Commissioner of Police*): May I ask the Member whether those meetings were similarly prohibited?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): പഴയ റൌഡികൾ ൨൪.൯-ലെ മീററിംഗിലും വരുമെന്നു ഭയം ഉണ്ടായിരുന്നിരിക്കുമോ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ആ കാര്യം എന്നെക്കാൾ നിശ്ചയമായി പറയുവാൻ കഴിയുന്നതു പോലീസുകാർക്കാണ്. പോലീസുകാരുടെ അറിവുകൂടാതെ ഈ റൌഡികൾക്ക് ഒരു പൊതുയോഗത്തിൽ കടക്കുന്നതിന് ധൈര്യം വരികയില്ലെന്നാണ് എന്റെ

[Mr. Muruvelil Pachu Pillai].

വിശ്വാസം. അതിനാൽ ചേർത്തല താലൂക്കിൽ ഇപ്പോൾ ഇരിക്കുന്ന ഉദ്യോഗസ്ഥന്മാർ അവിടെ ഇരിക്കുന്നിടത്തോളം കാലം ഈ നിരോധനാജ്ഞ നീട്ടിക്കൊണ്ടു പോകേണ്ടതാവശ്യമാണ്. ഈ ഡി. എസ്. പി. യും ഈ പോലീസ് ഇൻസ്പെക്ടറും ഇനിയും അവിടെ ഇരിക്കുന്ന പക്ഷം ഈ നിരോധനാജ്ഞയെ ഒരിക്കലും പിൻവലിക്കാൻ പാടില്ല. ഇനിയും യോഗങ്ങൾ കൂടുന്ന പക്ഷം ഈ മാതിരി ആളുകളെ അവർക്കു സ്വാധീനത്തിൽ കിട്ടാൻ യാതൊരു വിഷമവും ഇല്ല. ൨൩-ാം ഈ വിവരങ്ങളെക്കാണിച്ചു ദിവാൻജിക്കു ഒരു ലററർ അയച്ചു.

MR. V. J. OOMMEN (*Commerce and Industry, North*): പോലീസ്കമ്മിഷണരെ ഈ വിവരം അറിയിച്ചിട്ടുണ്ടോ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*) : പോലീസ് കമ്മീഷണർക്കു ഞാൻ ൨ ൦ -ാം- കമ്പി അയച്ചു. ആ കമ്പിയെ കൺഫേറം ചെയ്തു ലററർ അയക്കണമെന്നു അദ്ദേഹം എന്റെ പേർക്കെഴുതി അയച്ചു. അതിനുശേഷം സകല വിവരങ്ങളും വിശദമായി കാണിച്ചു ൩ ൦ -ാം- ഞാൻ എഴുതിയയച്ചു. അതിൽ കമ്മീഷണർ ഉടൻ സ്ഥലത്തു വന്നു ഈ സംഭവങ്ങളെപ്പററി ജാഗ്രതയായി അന്വേഷണം നടത്തണമെന്ന് ആവശ്യപ്പെട്ടിരുന്നു. കന്നി ൧൯-ാം- ഉണ്ടായ സംഗതിക്കു തുലാം ൨൩-ാം- യൊ ൨ ൬-ാം-യൊ ആണ് പോലീസ് കമ്മീഷണർ സ്ഥലത്തു വന്നതു്. ചേർത്തലതാലൂക്കിൽ ഒരു വലിയകലാപം നടന്നിരിക്കുന്നു എന്ന് അറിയിച്ചപ്പോൾ അതിനെപ്പററി അന്വേഷിക്കുവാൻ ഒരു മാസം തികച്ചുകഴിയുന്നതുവരെ ഈ പോലീസ്കമ്മീഷണർ എവിടെ ഇരുന്നിരുന്നു എന്നുള്ളതു് എനിക്ക്അറിഞ്ഞുകൂടാ.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): ദിവാൻജിക്ക് അയച്ച കമ്പിക്കു വല്ല മറുപടിയും കിട്ടിയിട്ടുണ്ടോ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*) : യാതൊരു മറുപടിയും അയച്ചില്ല. ഒരന്വേഷണവും നടത്തിയില്ല. അതിനാൽ യഥാർത്ഥത്തിൽ നടന്ന സംഭവങ്ങൾ എന്തെല്ലാമാണെന്ന് അറിയണമെന്ന് ഉദ്ദേശിച്ച് തിരുവിതാംകൂർ സ്റ്റേററ് പീപ്പിൾസ്കമ്മിററിയോട് ഒരു അനുദ്യോഗസ്ഥഅന്വേഷണം നടത്തണമെന്ന് ഞാൻഅപേക്ഷിച്ചു. അതനുസരിച്ച് അവർ ഒരു കമ്മിററിയെ നിയമിച്ചയച്ചു. ആ കമ്മിററിയിലെ അംഗങ്ങളിൽ മൂന്നുപേർ ഈ കൗൺസിൽ മെമ്പറന്മാരുമാണ്. നാലുപേരാണ് അന്വേഷണം നടത്തിയതു്. ഈ നാലുപേരും ഹൈക്കോടതിവക്കീലന്മാരുമാണ്. അന്വേഷണത്തിനുവരുന്നു എന്നുള്ള വിവരം

പരസ്യപ്പെടുത്തിയിട്ടു അവർ ൨൨ സാക്ഷികളെ വിസ്തരിച്ചു് ആ തെളിവുകളെ വച്ചുകൊണ്ടു ഒരു അനുദ്യോഗസ്ഥറിപ്പോർട്ടു പരസ്യംചെയ്തിട്ടുണ്ടു്. ൨൮-ാം റിസർവ്വ്പോലീസിനെ വരുത്തി കണ്ടമാനം ആളുകളെ ഉപദ്രവിപ്പിക്കുകയും ഉപദ്രവം ഏററ ആളുകളുടെ പാടുകാ നോക്കി എൻെറ അടുത്തിരിക്കുന്ന അടുത്തതാലൂക്കിലെ പ്രതിനിധി ഡാക്ടർ പണിക്കരുടെ സാന്നിധ്യത്തിൽ നോട്ടുചെയ്കയും ചെയ്തിട്ടുണ്ടു്. ഡിസ്ട്രിക്ട്മജിസ്ട്രേട്ടിൻെറ ആജ്ഞ അനുസരിച്ചു് ൨൮-ാം യോഗം കൂടുന്നില്ല; യോഗം നിർത്തിവച്ചിരിക്കുന്നു എന്നു് യോഗഭാരവാഹികൾ നോട്ടീസ് പ്രചരിപ്പിച്ചശേഷവും പിന്നീടും എന്തിനാണു് ഈ റിസർവ്വ്പോലീസുകാരെ വരുത്തി ഇപ്പോഴും അവിടെ താമസിപ്പിച്ചിരിക്കുന്നതു്?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikpalli*): ഇപ്പോൾ അവർ അവിടെ എന്തുചെയ്യുന്നു?

MR. MJRUVELIL PACHU PILLAI (*Shertallai*): മുമ്പു് അവർ ചെയ്തുകൊണ്ടിരുന്ന പ്രവൃത്തികൾതന്നെ. കൺട്രാക്ടന്മാരോടുകൂടി ഓരോസ്ഥലങ്ങളിലുംചെന്നു് ആരാണു് കുടിക്കാൻപാടില്ലഎന്നുപറഞ്ഞതു്? അവരുടെ പേരുകളുടെ ഒരു ലിസ്റ്റ്വാങ്ങി പാടത്തു് കൊയ്തുകൊണ്ടുനില്ക്കുന്നവരെപ്പോലും പിടിച്ചുകൊണ്ടുവന്നു് ഷാപ്പുകളുടെ വാതുക്കൽ നിരത്തിനിറുത്തി തോക്കും ലാത്തിയുംകൊണ്ടു് മർദ്ദിക്കുകയാണു് അവർ ചെയ്യുന്നതു് (Shame, Shame) ഇവരും ഇവരുടെ പെററതള്ളയും ഈ കമ്മിററിമുമ്പാകെ ഇതിനെപ്പററി മൊഴികൊടുത്തിട്ടുണ്ടു്. ഇത്ര അനീതിയായ ഒരവസ്ഥ തിരുവിതാംകൂറിൽ ഇനി ഉണ്ടാകാൻ ഇല്ല. ഗവണ്മെൻറിൻെറ മദ്യവർജ്ജനത്തെ സംബന്ധിച്ചുള്ള പ്രഖ്യാപിത നയം അതിനെ ക്രമേണ നിറുത്തൽചെയ്യണമെന്നുള്ളതാണെന്നു് അവർ വീണ്ടും വീണ്ടും പറഞ്ഞിട്ടുണ്ടു്. ഗവണ്മെൻറു അങ്ങിനെ ചെയ്തില്ലെങ്കിലും ജനങ്ങൾതന്നെ അതിനെ നിർത്തൽചെയ്വാൻ ന്യായമായവഴികളിൽകൂടി പരിശ്രമം തുടങ്ങുമ്പോൾ ഗവണ്മെൻറിൻെറ പ്രഖ്യാപിത നയം ഒന്നുവേറെ, പ്രവൃത്തി ഒന്നുവേറെ എന്നനിലയിൽ തോന്നിപ്പോകുന്നു. ഉദ്യോഗസ്ഥന്മാർ ഈ മാതിരി അക്രമങ്ങൾ ചെയ്യുമ്പോൾ ഗവണ്മെൻറിൻെറ പ്രഖ്യാപിതനയം ഇതാണെന്നു് പറയുന്നു എന്നല്ലാതെ അവരുടെ മനോഭാവവും ആന്തരമായ അഭിപ്രായവും അതിനനുസരിച്ചു തന്നെയോ എന്നു് സംശയിച്ചുപോകുന്നു. ഇങ്ങിനെയായാൽ ഗവണ്മെൻറിൻെറമേൽ ജനങ്ങൾക്കു് വിശ്വാസം കുറയുന്നതിനും ഗവണ്മെൻറു പ്രഖ്യാപിതനയം അനുസരിച്ചുപ്രവർത്തിക്കുന്നില്ലെങ്കിൽ ഗവണ്മെൻറിൻെറമേൽ ജനങ്ങൾക്കു

ള്ള മതിപ്പു കുറയുന്നതിനും ഉദ്യോഗസ്ഥന്മാരുടെ ഈ തരം പ്രവർത്തികൾ കാരണമാകുന്നു.

സർ, ഇന്നലെ കൗൺസിൽ ആരംഭിക്കുന്നതിനുമുമ്പായി അവിടന്ന് അവിടത്തെ ഏല്പിച്ചിട്ടുള്ള പ്രവർത്തികൾ എല്ലാം നിറവേറുന്നതിന് ജനപ്രതിനിധികളായ ഞങ്ങളുടെ സഹായസഹകരണങ്ങൾ അഭ്യർത്ഥിക്കുന്നു എന്ന് പ്രസ്താവിച്ചു. രാജ്യശ്രേയസ്സിനായി പ്രവർത്തിക്കുന്ന സകല സംരംഭങ്ങളിലും ഞങ്ങൾ അവിടത്തെ സഹകരിക്കുന്നതിന് തയ്യാറാണ്. അവിടുന്നു ഈ ജോലിയിൽ പ്രവേശിച്ചിട്ടു ഒന്നരമാസമായി. ഈ അക്രമസംഭവങ്ങളെപ്പററി അവിടന്ന് അന്വേഷിച്ച് യാതൊരുതീരുമാനവും ഇതേവരെ ചെയ്തിട്ടില്ല. ഇതിനെപ്പററി ഓരോ ഡിപ്പാർട്ടുമെൻറു മേലധികാരികളോടും ചോദിച്ചാൽ അവരുടെ കീഴ്ജീവനക്കാരുടെ പ്രവൃത്തികളെ സാധൂകരിക്കുകയല്ലാതെ ഒരിക്കലും അവരെ വിട്ടുകൊടുക്കുകയില്ല. അതുകൊണ്ട് അവിടന്ന് സ്വാഭിപ്രായമായിട്ട് തന്നെ നിർദ്ദാക്ഷിണ്യവും ന്യായവും എന്ന് തോന്നുന്ന ഒരുതീരുമാനം ഇങ്ങനെയുള്ള കാര്യത്തിൽ ചെയ്തില്ലെങ്കിൽ ജനങ്ങൾക്കു വലിയ സങ്കടം ഉണ്ടാകുന്നതിനും ഗവൺമെൻറിനെപ്പററിയുള്ള വിശ്വാസത്തിനും മതിപ്പിനും കുറവുവരുന്നതിനും കാരണമായി തീരുന്നതാണ്. ഇനിയും ധാരാളം സംഗതികൾ പറയാനുണ്ടെങ്കിലും സമയം അധികരിച്ചിരിക്കുന്നതുകൊണ്ടും അതിനെപ്പററി മററുള്ളവർ പറയുമെന്നുള്ളതുകൊണ്ടും ഇത്രയും പ്രസ്താവിച്ചുകൊണ്ട് ഈ പ്രമേയത്തെ ഇവിടെ അവതരിപ്പിച്ചു കൊള്ളുന്നു.

MR. P. GOMATINAYAKAM PILLAI (*Excise Commissioner*): ഇതിനിടയ്ക്കു തെങ്ങിൻെറ ക്രമ്പ് കുലകൾ അറുക്കുക, മാട്ടങ്ങൾ തല്ലിപ്പൊട്ടിക്കുക മുതലായ പ്രവൃത്തികൾ ചെയ്തിട്ടുണ്ടോ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ഇത് വിചാരണയിൽ ഇരിക്കുന്ന കേസുകളെ സംബന്ധിച്ച വിവരങ്ങളാണ്. ഈ ചോദ്യത്തിനു ശരിയായ ഉത്തരം ഈ പതനത്തിൽ പറയാമോ എന്നു ഞാൻ സംശയിക്കുന്നു.

MR. P. GOMATINAYAKAM PILLAI (*Excise Commissioner*): One question I have to ask. May I ask the member whether there were any instances of setting fire to toddy shops, at Shertallai?

PRESIDENT: Is that *sub-judice*?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): Yes, Sir.

PRESIDENT: If it is before any tribunal, I do not know how you are justified in calling for a statement of fact.

MR. P. GOMATINAYAKAM PILLAI (*Excise Commissioner*): I only want to know whether there was any such occurrence. That cannot be *sub-judice*

PRESIDENT: Are they connected with any suit, either civil or criminal, before any tribunal of the State?

MR. P. GOMATINAYAKAM PILLAI (*Excise Commissioner*): I do not want to go into matters, *sub-judice*. Mr. Pachu Pillai alleges certain facts. I only want to know whether such occurrences did really occur.

PRESIDENT: It is better you do not pursue the matter further.

MR. P. GOMATINAYAKAM PILLAI (*Excise Commissioner*): My point is......

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Karthikapalli*): Sir I rise to a point of order. Even if such instances have happened what is the relevancy of his question?

MR. A. THANU PILLAI (*Trivandrum*): The Excise Commissioner has put a question to Mr. Pachu Pillai, and if he answers that, I am afraid Government can sanction the prosecution of the member.

MR. P. GOMATINAYAKAM PILLAI (*Excise Commissioner*): After all, it was a toddy shop that was set fire to, and, there can only take place a police enquiry.

PRESIDENT: If you want to elicit any information from Mr. Pachu Pillai, you have to address the Chair.

MR. P. GOMATINAYAKAM PLLAI (*Excise Commissioner*): I am only addressing the Chair.

PRESIDENT: You can only make a suggestion and it is for Mr. Pachu Pillai to answer it or not.

If it is a matter before courts, in any form, it is better the members should avoid bringing such matters in the discussion. Because it may lead to various difficulties. And I think, Standing Orders preclude you from making references to them.

If Mr. Pachu Pillai refers to specific instances, you may contest these points during your reply.

MR. P. GOMATINAYAKAM PILLAI (*Excise Commissioner*): I only want to know whether there was any such occurrence?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): പ്രസിഡൻറ് അനുവദിച്ചാൽ പറയാം.

PRESIDENT: ഇപ്പോഴും അതിനെ സംബന്ധിച്ച് ഏതെങ്കിലും കേസ് നടക്കുന്നുണ്ടൊ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ഉണ്ട്.

MR. P. GOMATINAYAKAM PILLAI (*Excise Commissioner*): കള്ളുഷാപ്പ് തീവച്ചതിനെ സംബന്ധിച്ച് പോലിസുകാർ കേസെടുത്തിട്ടുള്ളതായി അറിയാമൊ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): പോലീസുകാർ അങ്ങിനെ കേസു രജിസ്റ്റർചെയ്തിട്ടുള്ളതായി അറിയാം.

PRESIDENT: That means, he will have to discuss with you now.

MR. P. GOMATINAYAKAM PILLAI (*Excise Commissioner*): I do not want to discuss with him at all. I only want to know whether such a thing happened?

PRESIDENT: Mr. Gomatinayakam Pillai, questions must relate to the motion before the House. A member can make his owno bser. vations in connection with the motion now before the Hous This is not an occasion when he has to answer a categorical question.

MR. MURUVELIL PACHU PILLAI (*Shertallai*): അതുകൊണ്ട് പ്രമേയത്തെ ആസ്പദമാക്കി കൌൺസിലിന്റെ ആലോചനയ്ക്ക് സമർപ്പിക്കുന്നതിനുള്ള പ്രധാനസംഗതി ഈ സംഭവങ്ങളെ എല്ലാം സംബന്ധിച്ചു ശരിയായ ഒരന്വേഷണം നടത്തുന്നതിന് ഒരു കമ്മിററിയെ നിയമിക്കണമെന്നുള്ളതാണ്. ഈ അഭിപ്രായത്തോടുകൂടി ഈ പ്രമേയത്തെ ഞാൻ ഇവിടെ അവതരിപ്പിച്ചുകൊള്ളുന്നു.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): സർ, ഈ വിഷയത്തെപ്പററി വളരെ ഗൌരവതരമായി മി. പാച്ചുപിള്ള ഈ സഭമുമ്പാകെ അറിയിച്ചുകഴിഞ്ഞു. തിരുവിതാംകൂറിലുള്ള പൌരന്മാരുടേയും പൊതുജനപ്രതിനിധികളുടേയും ഒരവകാശത്തെ സംബന്ധിക്കുന്നതായതുകൊണ്ടും തിരുവിതാംകൂറിലെ പൌരന്മാക്കു മേലാൽ സ്വല്പമെങ്കിലും ഒരു രക്ഷ ഈ സക്കാർഉദ്യോഗസ്ഥന്മാരിൽനിന്നും ഉണ്ടാകണമെന്നുള്ള ഉദ്ദേശംകൊണ്ടും മി. പാച്ചുപിള്ള ഇവിടെ ഒരു സത്യവാങ്ങ്മൂലം എന്നപോലെ അറിയിച്ചിട്ടുള്ള സംഗതികൾക്കു എക്സൈസ്കമ്മീഷണരും പോലീസുകമ്മീഷണരും ഉടനടി സമാധാനം ബോധിപ്പിക്കണമെന്നും അതിനുശേഷം ഈ വാദപ്രതിവാദം നടത്തണമെന്നും ഞാൻ അപേക്ഷിക്കുന്നു.

PRESIDENT: What is it Mr. Kesava Pillai? Are you seconding Mr. Pachu Pillai's motion?

MR. T.C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): എനിക്കു ഇതിനെപ്പററി പറയാനുള്ളതു അഫിഷ്യൽസിന്റെ മറുപടികേട്ടശേഷമായിക്കൊള്ളാം.

PRESIDENT: How is it? There is a motion before the House. I want to know whether you are seconding it.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*) : ഇതിൽ ഏതെല്ലാംഭാഗങ്ങൾ അവർ സമ്മതിക്കുന്നു എന്നുനോക്കിയതിനുശേഷം ഡിസ്കഷൻനടത്താം എന്നാണ് എന്റെ അഭിപ്രായം.

PRESIDENT: Mr. Kesava Pillai, you want to proceed with the discussion after recording the admissions or denials from the official block. Is that proper? Under what provision of the Standing Orders do you demand that?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*) ; ഇതു് എന്റെ അഭിപ്രായം മാത്രമാണ്.

സർ, മി. പാച്ചുപിള്ള ഇവിടെ അവതരിപ്പിച്ച അടിയന്തിരപ്രമേയത്തെ ഞാൻ ഹാർദ്ദമായി പിൻതാങ്ങുന്നു. ചേർത്തലയിൽ കഴിഞ്ഞ കന്നി ൧൯-ാംനു- ചില അനിഷ്ടസംഭവങ്ങൾ നടന്നുഎന്നും ചേർത്തലഅന്വേഷണക്കമ്മിററിയുടെ റിപ്പോർട്ടിൽനിന്നും മനസ്സിലാകുന്നുണ്ട്. ചേർത്തലത്താലൂക്കിൽ ന്യായമായൊ, അന്യായമായൊ, ഏതാനും ആളുകൾക്ക് അടികൊണ്ട സംഗതിയെപ്പററി ഈ സഭമുമ്പാകെ പറയുന്നതു് ഉചിതമായിരിക്കയില്ല. എന്നാൽ തിരുവിതാംകൂറിലെ ഡിപ്പാർട്ടുമെൻറു മേധാവികൾ അനുവർത്തിച്ചുവരുന്ന നയത്തെസംബന്ധിച്ചു മാത്രം പറഞ്ഞിട്ട്, അപ്രകാരം അനുവർത്തിച്ചിട്ടുള്ള കൂട്ടത്തിൽ ഒരു സംഭവം ചേർത്തല നടത്തിയതിനെപ്പററി ഗവണ്മെൻറു ഗാഢമായി ചിന്തിച്ച് എന്തെങ്കിലും ഒരു പരിഹാരം ഉണ്ടാക്കണമെന്നാണ് എനിക്കു പ്രധാനമായി പറയാനുള്ളതു്. സാധാരണ തിരുവിതാംകൂറിൽ പലസ്ഥലത്തും ജനങ്ങൾയോജിച്ചു യോഗങ്ങൾകൂടി ജയിലിൽ പോകാനുള്ള ഒരു കാലമാണ് ഇതു്. ചേർത്തല താലൂക്കുകാർ ഗവണ്മെൻറുത്തരവുകളെ ഒരിക്കലും ലംഘിക്കുന്നവരല്ല. വളരെ മര്യാദക്കാരാണെന്ന് ഇവിടെ പറയുകയുണ്ടായി. അന്യനാട്ടിൽപോലും അതരം മര്യാദകേടു കാണിച്ചിട്ടില്ലെന്നു മി. പാച്ചുപിള്ള പറഞ്ഞുകഴിഞ്ഞു. ഇപ്രകാരമുള്ള മര്യാദക്കാരുടെകൂട്ടത്തിൽ പൊതുജനപ്രതിനിധികളായ മി. പാച്ചുപിള്ള മുതലായവരെ അപമാനിക്കത്തക്കനിലയിൽ ഏതാനും പോലീസുദ്യോഗസ്ഥന്മാർ പെരുമാറി എന്നു പറയുന്നതു പരമാർത്ഥത്തിൽ വലിയ സങ്കടമാണ്.

MR. P. S. MAHOMED (*Nominated*) : മി. പാച്ചുപിള്ളയെ വല്ലവരും അപമാനിച്ചതായി പറഞ്ഞിട്ടുണ്ടൊ?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*) : ഈ റിപ്പോർട്ടുമുഴുവനും വായിച്ചുനോക്കിയാൽ അറിയാം. ഇതിൽപറയുന്നുണ്ട്.

[Mr. T. C. Kesava Pillai]

(മി കേശവപിള്ള ചേർത്തല അനുദ്യോഗസ്ഥാന്വേഷണക്കമ്മിററിയുടെ റിപ്പോർട്ട എടുത്തു ാണിച്ചു.)

PRESIDENT · Is that report before the House? You can only say what the report contains and not read it. I do not think that you are in order in inviting the attention of another member to a paper that is not before the House.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): അവിടെ നടന്നിട്ടുള്ള സംഭവങ്ങളിൽ പ്രധാനമായിട്ടുള്ളതു സാധുക്കളായസ്ത്രീകളേയും കുട്ടികളേയും അടിച്ചു് അപമാനിച്ചു എന്നും ഈ അടിച്ച ആളുകൾ സ്വശക്തിയോടും സ്വബോധത്തോടും കൂടി പ്രവർത്തിച്ചതല്ല എന്നും ഉള്ളതാണു്. രണ്ടാമത്തെ സംഗതി യോഗ്യന്മാരും മാന്യന്മാരുമായ ആളുകൾ കൂടി നടത്തുന്ന യോഗങ്ങളെ നിരോധനാജ്ഞകൊടുത്തു തടഞ്ഞു എന്നുള്ളതാണു്. ഈ സംഗതി പൊളിട്ടിക്കൽ അല്ലാതെ ഇരിക്കുന്നകാലത്താകട്ടെ ഇങ്ങനെ തടയുന്നതു് ഒട്ടും ശരിയല്ല. ചിലഅവസരങ്ങളിൽ, വിദ്യാർത്ഥിബഹളത്തിൽ നടന്ന മർദ്ദനം പോലെയുള്ള ഒരു തോന്നുവച്ചിരിക്കുന്നതു പരമാർത്ഥത്തിൽ ശരിയായ ഒരു നയമാണെന്ന ഈ ഭാഗത്തുള്ളവർ വിചാരിക്കുന്നില്ല. പോലീസുദ്യോഗസ്ഥന്മാരെപ്പററി ഈ സഭമുമ്പാകെ അറിയിക്കുന്നപക്ഷം അറിയിക്കുന്നവർ ഒന്നുകിൽ സാക്ഷിയായിട്ടോ അല്ലെങ്കിൽ കക്ഷിയായിട്ടോ പോകേണ്ടിവരും. ഇപ്രകാരം കേവലമായ ഒരു സ്ഥാനം പൊതുജനപ്രതിനിധികൾക്കു ഉദ്യോഗസ്ഥ ഭാഗത്തുനിന്നും കല്പിച്ചിട്ടുണ്ടു്. അതുകൊണ്ടു അനുദ്യോഗസ്ഥന്മാർ ഉടനടി രാജിവച്ചുപോകുന്നതു് നന്നായിരിക്കും എന്നും, മേലാൽ ഇങ്ങനെയുള്ള സ്ഥാപനങ്ങളിൽ വരുന്നതിനു ആശിക്കുന്നതു ശരിയല്ലെന്നും തോന്നിപ്പോകുന്നു. അതുകൊണ്ടു മേലാൽ ഇതിലേക്കു ആളുകളും ഉണ്ടാവുകയില്ലെന്നു ഞാൻ വിശ്വസിക്കയും ചെയ്യുന്നു. ഗൗരവതരങ്ങളായ പല സംഗതികളും ഇതിൽ അടങ്ങിയിരിക്കുന്നതുകൊണ്ടു് അതിനെപ്പററി അന്വേഷിക്കുന്നതിനു ഒരു കമ്മിററി ഏർപ്പെടുത്തണമെന്നും; മേലാൽ ഗവൺമെൻറുദ്യോഗസ്ഥന്മാർ ഇപ്രകാരമുള്ള സംഗതികളിൽ ഏർപ്പെടുന്നതു വളരെ ആലോചിച്ചു വേണമെന്നും ഞാൻ അറിയിച്ചുകൊള്ളട്ടെ. ഈ അനിഷ്ട സംഭവങ്ങൾക്കു പ്രധാനകാരണം വിദേശികളെ ഇവിടത്തെ ഉദ്യോഗത്തിൽ നിയമിക്കുന്നതുകൊണ്ടാണു്. ഇവിടെ യോഗ്യന്മാരായ ആളുകൾ ധാരാളമുണ്ടു്. അതുകൊണ്ടു് ഈ സംഗതിയിൽ ഗവൺമെൻറു ഗാഢമായി ശ്രദ്ധിക്കണമെ

നുള്ള അഭിപ്രായത്തോടുകൂടി ഞാൻ മി. പാച്ചുപിള്ളയുടെ പ്രമേയത്തെഹാർദ്ദമായി പിൻതാങ്ങിക്കൊള്ളുന്നു.

MR. V. S. KRISHNA PILLAI (*Tiruvalla*): സർ, ഞാൻ മി. പാച്ചുപിള്ള ഇവിടെ അവതരിപ്പിച്ചിട്ടുള്ള പ്രമേയത്തെ അനുകൂലിക്കുന്നു. ധർമ്മരാജ്യമെന്നു് പേർകിട്ടിയിട്ടുള്ള ഈ രാജ്യത്തു് പരമാർത്ഥത്തിൽ ദുസ്സഹമായ പല സങ്കടങ്ങളുമുണ്ടു്. മി. പാച്ചുപിള്ള ഇവിടെ നടന്ന ഒന്നുരണ്ടു സംഭവങ്ങളെപ്പററി ഈ കൗൺസിൽ മുമ്പാകെ ഉൽബോധനം ചെയ്ത അവസരത്തിൽ കണ്ടിട്ടുള്ള മനോവികാരങ്ങളെ ഈ സദസ്സിലുള്ള ആളുകൾ ആലോചിക്കുമ്പോൾ അവിടെ വളരെ വളരെ ഭയങ്കരങ്ങളായ കൃത്യങ്ങൾ നടന്നിരിക്കണമെന്നും, സഭ്യമല്ലാത്തതുകൊണ്ടു് പറയാതെ അതിൽ ഭൂരിപക്ഷവും മറച്ചുവച്ചിരിക്കയാണെന്നും ഊഹിക്കേണ്ടിയിരിക്കുന്നു. സാധാരണയോഗനടപടികൾ അനുസരിച്ചു് ഒരാൾ പ്രസിഡൻറിനെ പ്രപ്പോസു് ചെയ്കയും ഒരാൾ അതിനെ പിൻതാങ്ങുകയും ചെയ്തശേഷം പ്രസിഡെൻറ് ആ സ്ഥാനം സ്വീകരിക്കുന്നതിനായി ചെല്ലുമ്പോൾ ആ സ്ഥാനത്തു വേറെ ഒരാൾ ഇരിക്കുന്നു എന്നു വന്നാൽ ആ സദസ്സിൽ നടക്കുന്ന സംഗതികൾ എന്തെല്ലാമാണെന്നും ഇതു് എതെല്ലാം പ്രകാരത്തിൽ ഉത്ഭവിച്ചതാണെന്നും മററും ഒരു ദൃക്സാക്ഷി വിസ്തരിച്ചുപറയുന്നതിനേക്കാൾ നല്ലതു് സാമാന്യബുദ്ധികൊണ്ടു ഊഹിക്കുന്നതാണു്. ചീത്തയായനടപടികൾ ഉണ്ടായേക്കുമോ എന്നശങ്കിച്ചു് ഒരു നിരോധനാജ്ഞ ഡിസ്ട്രിക്ടു്മജിസ്ട്രേട്ടുകൊടുത്തിട്ടുള്ളതു്, ആ താലൂക്കുകാർക്കോ അല്ലെങ്കിൽ അതിൽ സംബന്ധിച്ചിട്ടുള്ള മററു മഹാജനങ്ങൾക്കോ യാതൊരു പരിഭവത്തിനും വകയില്ല.

MR. P. S. MAHOMED (*Nominated*): ആവശ്യമില്ലാതെ നിരോധനാജ്ഞ കൊടുത്താൽ പരിഭവത്തിനു വകയില്ലേ?

MR. V. S. KRISHNA PILLAI (*Tiruvalla*): ആവശ്യമില്ലാതെ ആർഡർ കൊടുത്താൽ പരിഭവത്തിനു് അവകാശമില്ലയോ എന്നുള്ള ചോദ്യം തന്നെ ആവശ്യമില്ല (ചിരി) ആവശ്യത്തേയോ അനാവശ്യത്തേയോപററി വാദപ്രതിവാദം ചെയ്തു് ഒരു തീരുമാനം ഈ അവസരത്തിൽ വരുത്തണമെന്നും ഞാൻ വിചാരിക്കുന്നില്ല.

എതായാലും ചേർത്തല താലൂക്കിൽ ഒരു സ്ഥലത്തു് യോഗം തുടങ്ങിയപ്പോൾ കാണിച്ച ബീഭത്സമായ നടപടികളെ തുടർന്നു്, സമാധാനപരമായി യോഗം കൂടുന്നതിനു മറെറാരുസ്ഥലത്തു പോയപ്പോഴും അവിടെ

[Mr. V. S. Krishna Pillai.]

യും പോലീസുകാർ എത്തി ആക്ഷേപകരമായ അനേകം പ്രവൃത്തികൾ ചെയ്തു എന്നാണ് എന്റെ അറിവ്. ഇങ്ങിനെയുള്ള റൌഡികളുടെ വിഹാരസ്ഥലമായി ആ സ്ഥലത്തെ തീക്കുന്നതിന് ആരെല്ലാം പ്രേരിതരായോ അവരെപ്പററി പ്രത്യേകമായ യാതൊരഭിപ്രായവും എനിക്കില്ല. ആ ഭാഗം ഞാൻ മഹാജനങ്ങളുടെ ആലോചനയ്ക്കായി വിട്ടിരിക്കുന്നു. അതിനെ തുടൎന്ന് കുറെ റിസൎവ്വ് പോലീസുകാരെ അങ്ങോട്ടു പറഞ്ഞു അയക്കയാണുണ്ടായതു്. ഈ റിസൎവ്വ് പോലീസുകാർ അവിടെ ചെന്നപ്പോൾ അവിടത്തെ സ്ഥിതി ഒന്നുകൂടി കഷ്ടതരമായി. സ്വതേതന്നെ മൎക്കടം അതോടുകൂടി കുറെ മദ്യം കൂടി കൊടുക്കയും, ഒരു തേൾ കൂടി ഇറുക്കുകയും ചെയ്താൽ ഏതു നിലയിൽ ആയിതീരുമോ അതുപോലെയായി. റൌഡികൾ തന്നെ എന്തും പ്രവൃത്തിക്കുന്നതിനു തയ്യാറായിരിക്കുന്ന അവസരത്തിൽ ഇങ്ങനെ ഒരു പിൻബലംകൂടി കിട്ടിയാൽ അവർ കാട്ടിക്കൂട്ടുന്ന പ്രവൃത്തികൾ എന്തെല്ലാമാണെന്ന് ആലോചിച്ചു നോക്കുന്നതുപോലും അശക്യമാണ്. ഇങ്ങിനെ ഒരു സംഭവം—ഒരനിഷ്ട സംഭവം—നമ്മുടെ രാജ്യത്ത് ഈ അവസരത്തിൽ ഉണ്ടായതു് ഓൎക്കുമ്പോൾ ഏതൊരു പൌരന്റെയും ഹൃദയം തുടിക്കുക തന്നെ ചെയ്യും. ഇതിലേക്കുള്ള കുററക്കാരെ കണ്ടുപിടിച്ച് ശിക്ഷിച്ച് ന്യായമായ പരിഹാരമാൎഗ്ഗം ഉണ്ടാക്കുകയും മേലാൽ ഇങ്ങനെയുള്ള അനിഷ്ട സംഭവങ്ങൾ നമ്മുടെ രാജ്യത്ത് ഉണ്ടാകാതെയിരിക്കുന്നതിന് എന്തെല്ലാം മുൻ കരുതലുകൾ ഈ ധൎമ്മരാജ്യത്തെ ഗവൺമെന്റിനു ചെയ്യുവാൻ കഴിയുമോ അവയെല്ലാം ഉടനടി ചെയ്യുകയും ചെയ്യണമെന്ന് എനിക്കപേക്ഷയുണ്ടു്. അതുകൊണ്ടു മി. പാച്ചുപിള്ള വികാരോദ്ദീപകമായി അവതരിപ്പിച്ച പ്രമേയത്തെ പിൻതാങ്ങുന്നതിൽ എനിക്കു സന്തോഷമോ സന്താപമോ ഏതാണുള്ളതെന്നു തീൎച്ചപ്പെടുത്താൻ എനിക്കു തന്നെ പ്രയാസമായിരിക്കുന്നു. ഏതായാലും ഇത്രയും സംഭവങ്ങൾ അവിടെ നടന്നു എന്നുള്ളതിനു കൂടുതലായി യാതൊരു തെളിവും ആവശ്യമില്ല. അതിനാൽ ഇതിലേക്കു ഒരു കമ്മിററിയെ കഴിയുന്നതും വേഗത്തിൽ നിയമിച്ചു വേണ്ട അന്വേഷണം നടത്തി ഒരു തീരുമാനം ഉണ്ടാക്കുന്നതിന് ഗവണ്മെന്റിനു ദയവുണ്ടാകണമെന്ന് അപേക്ഷിച്ചുകൊണ്ട് ഈ പ്രമേയത്തെ ഞാൻ ബലമായി പിൻതാങ്ങുന്നു.

MR. L. A. BISHOP (*Commissioner of Police*): Mr. Pachu Pillai must have made a very eloquent speech. As it was in Malayalam I am afraid I was not able to understand it all. He spoke with tears in his eyes and was able to induce some other members to believe every word of what he said before hearing the other side. In fact he was so eloquent that some people emotionally called out 'shame'.

Mr. Pachu Pillai took some time for describing the incidents at Shertallai. I am afraid I also will have to take time to describe the events. I trust my friends will give me a courteous hearing and hear me to the end. I will answer questions when I have gone through the whole of my speech.

Mr. Pachu Pillai described Shertallai taluk and the situation in the taluk, a few months prior to the day in question; but I am afraid he gave you only a garbled version; It was not a complete version However moving it might be, I think it is my duty, before explaining what happened at the public meetings in Shertallai and in the village close by, to narrate the events that occurred in the taluk up to that particular day. When I have done that, I think you will realise that temperance has not been the only moving factor in that taluk.

Now, Sir, we all know where Shertallai is. It is the northernmost coast taluk in the State, and it is adjacent to British Cochin and the Cochin State. As we have often heard from the Shertallai members here, and in the S. M. P. Assembly, Shertallai has always had a grievance—the people of Shertallai feel that they are cut off from the rest of Travancore.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Will the member speak a little louder? We cannot hear him.

MR. L. A. BISHOP (*Commissioner of Police*): This is the loudest tone in which I can talk, I am afraid.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): May I know from the learned Police Commissioner what were the factors other than temperance that contributed to these incidents?

PRESIDENT: You may come up to the front.

(The Commissioner of Police came up to the front and occupied a seat in front).

MR. L. A. BISHOP (*Commissioner of Police*): Sir, as other members have said Travancore has always been exceptionally loyal and it is typical of Travancore, the loyalty of its inhabitants (Hear, hear);—both to Travancore and to the British connection; but, Sir, I must say that there is a small clique in this State composed of not more than a dozen persons who are agitators to a certain extent. They are disgruntled; They seek power; and they seek power by means of agitation.

Now as regards, Shertallai, Shertallai is contiguous to British Malabar and the Cochin State and is therefore affected by the present political situation in British India and Native Cochin. It is through Shertallai that Travancore has been invaded.........

MR. A. THANU PILLAI (*Trivandrum*): May I interrupt the Police Commissioner, so that I may follow very closely what he says? Very serious matters are being talked about. The Police Commissioner referred to a small clique. I wish to know whether it is at Shertallai or at any other place?

MR. L. A. BISHOP (*Commissioner of Police*): In the State it is through Shertallai that outside agitators have come to Travancore for various reasons, but chiefly for recruiting volunteers for the Satyagraha movements in Kerala.

Now, Sir, strong political agitation in Shertallai was started some 9 months ago. And, at first, temperance was not part of the programme. There were several political and social organisations formed. There was the Local Congress Committee, there was the Labour Association, a league called the Revolutionary League, another called the Refinement League and there was also the Atheistic League. There was thus a very large number of leagues in a small taluk.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): May I know from the learned Commissioner of Police when the Congress Committee was first formed in Shertallai?

MR. L. A. BISHOP (*Commissioner of Police*): I am afraid I have not seen their record.

MR. P. S. MAHOMED (*Nominated*): May I know from the member whether the Labour Association is a revolutionary association?

MR. L. A. BISHOP (*Commissioner of Police*): I did not say so. I said that there is a league called a Revolutionary league. I am not saying that all these associations are revolutionary associations. I simply say that they are political associations.

MR. MURUVELIL PACHU PILLAI (*Shertallai*): Can the learned Commissioner of Police say who are the members of this league and when it was formed?

MR. L. A. BISHOP (*Commissioner of Police*): I cannot give the date off-hand now.

Now, in Shertallai, I believe that the main population consists of Ezhavas. Shertallai is closely tied up with the copra and coir trade and it has been affected very badly in the recent trade depression. Sir, all these local associations and their leaders, took advantage of this in order to make themselves more attractive, included and started a temperance movement, following the programme in the rest of Travancore. These different associations which took up the cause of the temperance movement, were largely assisted by officers of co-operative societies and school masters, especially of the lower Vernacular Schools

MR. A. THANU PILLAI (*Trivandrum*): Are they school masters of Government schools?

MR. L. A. BISHOP (*Commissioner of Police*): School masters of Government schools and Aided schools. I shall allude to them later on.

So, Sir, I am trying to point out that temperance has been adopted only as a cloak for anti-British Government and anti-Travancore-Government propaganda. Temperance is a cloak which is to make these associations appear respectable, acceptable to those in Travancore who know nothing of the local conditions. Unlike the temperance movement, in general, elsewhere, the temperance movement in Shertallai has

been active in its aggresion. Mr. Pachu Pillai and my friend on the left had a little bit of argument about the cutting of spathes; and the President ruled that as out of order. But I would like to say that there has been an aggressive and active movement against tappers and others connected with the drinking trade in the taluk, far more aggressive than elsewhere in Travancore. I am led to believe that the Temperance Association of Shertallai taluk is not accepted by the Main Central Association of Quilon on account of its over-agressive activities.

MR. A. THANU PILLAI (*Trivandrum*) : Is it not accepted ?

MR. L. A. BISHOP (*Commissioner of Police*) : It has not been accepted for affiliation.

There have been actually over 30 police and private cases taken up as regards this aggressive form of the temperance movement in that taluk. There has been a large number of meetings conducted by the Refinement League, the Revolutionary League and Atheistic League. It is a very peculiar thing that it is the atheists who are most anxious to enter temples. The temple entry business has been very strong in the taluk for the last eight years; and those who have been most persistent in their demand to enter the temples are the atheists; those who believe in no god. Why *they* should want to enter the temples, I do not know.

MR. A. THANU PILLAI (*Trivandrum*) : I should like to know the basis of that statement made by the Commissioner of Police that the atheists are most anxious to enter temples. That will be a very interesting piece of information.

MR. L. A. BISHOP (*Commissioner of Police*) : I will answer that question in my second speech.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : Even granting for the sake of argument, that there exists the Atheists League, may I know whether such a league is unconstitutional, and whether it is bound to act as a menace to the State ?

MR. L. A. BISHOP (*Commissioner of Police*) : It may act as a menace to the State or it may not. But it is an indication of the state of affairs in that taluk. Mr. A. B. Salem, a member of the Cochin Legislative Council, frequently made such violent speeches in that taluk, that, a prohibition order had to be issued against him. Over 40 meetings about temperance and other allied subjects were attended by the police in that taluk in four months. A great many resolutions were passed at these meetings and I take the liberty of reading out to you some of the resolutions that have been passed and some extracts of speeches that were made.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Karthikapalli*) : I wish to know from the member whether the Police C. I. D. officers alone were present at these meetings or whether police officers of all kinds were present ?

MR. L. A. BISHOP (*Commissioner of Police*) : Police of all kinds were present at the various meetings.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Were they ordinary Police men?

MR. L. A. BISHOP (*Commissioner of Police*): Ordinary Police were at every one of these 40 meetings. They were not present at every meeting held in that taluk because there were more than 40 meetings.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Were these men in uniform?

MR. L. A. BISHOP (*Commissioner of Police*): Not necessarily in uniform. They attended 40 meetings. But there were many more meetings in that taluk and the excess number were not attended by the police.

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ഏതെങ്കിലും മീററിംഗിൽ ക്ഷേത്രപ്രവേശനത്തേയും യൂത്ത് ലീഗിനെ സംബന്ധിച്ച ഏതെങ്കിലും പ്രമേയം പാസാക്കിയതായിട്ട സി. ഐ. ഡി. റിപ്പോർട്ടിൽ നിന്നും കമ്മീഷണർക്കു കാണാൻ കഴിഞ്ഞിട്ടുണ്ടോ? അങ്ങിനെയുണ്ടെങ്കിൽ ഏതു സ്ഥലത്തു് ഏതു മീററിംഗിലാണ് എന്നു പറയാമോ?

MR. L. A. BISHOP (*Commissioner of Police*): I will come to that, when I have read extracts from some of these speeches and of the resolutions.

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ഏതെങ്കിലും മീററിംഗിൽ ക്ഷേത്രപ്രവേശനത്തേയും, യൂത്തുലീഗിനേയുംസംബന്ധിച്ചഏതെങ്കിലും പ്രമേയം പാസാക്കിയതായിട്ട സി ഐ. ഡി. റിപ്പോർട്ടർമാരിൽനിന്നുംകമ്മീഷണർക്കു കാണാൻ കഴിഞ്ഞിട്ടുണ്ടോ?

MR. L. A. BISHOP (*Commissioner of Police*): Yes, I say I will read out some of these resolutions and some of these speeches that were made at some of these meetings. These are some of these resolutions, Sir.

This resolution was passed at Kalavancode on 26-12-1105 with Mr. A. B. Salem in the Chair:

> "That this meeting resolves that in the matter of granting loans from the local Co-operative Society, preference should be given to members other than drunkards, tappers and toddy shop contractors."

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): What loans?

MR. V. CHELLAM PILLAI (*Tovala*): അതു വലിയ തെറെറന്താണോ പറയുന്നതു്?

MR. A. THANU PILLAI (*Trivandrum*): I wish to know whether it was a meeting of the Co-operative Society?

MR. L. A. BISHOP (*Commissioner of Police*): The resolution was passed at a temperance meeting.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Does it in any way show .....

MR. L. A. BISHOP (*Commissioner of Police*) : If I am continuously interrupted, I may not have time to explain the whole state of affairs in Shertallai.

The following resolution was passed at Vadakkummuri on 22-1-1106 with Mr. Sivarama Panicker B. A., L. T., Headmaster of the Service Society School in the Chair.

> "That this meeting resolves that tappers and toddy shop contractors should be excommunicated from society."

Another resolution was passed at a temperance meeting at Kalavancode on 29-1-1106 with Mr. K. R. Narayanan of Koriempalli in the Chair. That was :—

> "That this meeting resolves that the Government be requested to publish a *Press Communique* according sanction to all castes to enter into all temples in Travancore. If that is not done within 90 days, then regular *satyagraha* should be started along with civil disobedience, if necessary."

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : Was that resolution passed at a temperance meeting?

MR. L. A. BISHOP (*Commissioner of Police*) : Yes.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : No.

MR. L. A. BISHOP (*Commissioner of Police*) : Yes, a number of resolutions were passed for conducting Satyagraha in front of temples if sanction is not given within 90 days.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : May I know who Mr. Salem is?

MR. L. A. BISHOP (*Commissioner of Police*) : Another resolution at this meeting was :

> "That this meeting resolves to condemn the Excise authorities who allowed the tapping of the trees without numbering and selling the toddy wherever they like."

That was the third resolution passed at this prohibition meeting.

MR. A. THANU PILLAI (*Trivandrum*) : Will the Police Commissioner kindly read out the last resolution once again?

MR. L. A. BISHOP (*Commissioner of Police*) : The resolution that I have just now read is :

> "That this meeting resolves to condemn the Excise authorities who allowed the tapping of the trees without numbering and selling the toddy wherever they like."

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : May I know whether Mr. Salem is a member of the Cochin Legislative Council?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : He has said that Mr. Salem is a member of the Legislative Council.

MR. L. A. BISHOP (*Commissioner of Police*) : I have already said that Mr. Salem is a member of the Cochin Legislative Council.

I have taken some time to search out the extracts of speeches made at some of the meetings and the members are requested to hear them now.

[Mr. L. A. Bishop.]

This is at a meeting opposite to the premises of the Kalavankode Co-operative Society on 26-12-1105 under the presidency of Mr. Salem of Cochin.

"Drink has become a great devil. This devil goes about from place to place soliciting whatever help it can command. It has got as subordinates, Commissioners and others. This devil must be thrown on to the sea. There is a debate going on in the Legislative Council about this at this time. At Cochin no pie was sanctioned for the Excise or the Police by the Legislature. The present Government here is not at all right. I do not know what is going to happen here. The Cochin Government was anxious to get at least 4 votes out of 30. If administration takes place without Justice the public would not tolerate it. What I exhort the Travancore and Cochin Governments is that if they do not heed to the wishes of the public they will suffer, like the British Government."

To a question asked at the same meeting by one Rama Panikker, a contractor as to who arrested Mahatma Gandhi, the President replied that Mahatma Gandhi was imprisioned by a toddy-drinking Government.

MR. A. THANU PILLAI (*Trivandrum*): I wish to know from Mr. Bishop whether he has any objection to drink being called a devil?

MR. L. A. BISHOP (*Commissioner of Police*): None at all. In fact I agree with it in some respects.

This is an extract from a speech delivered by Mr. Salem at a meeting in Varanam near Puthanangadi on 18-1-1106 under the presidency of Seeruppanseru Krishna Panicker.

'No one should obey the laws of this Government. Get down the liquor pots from the cocoanut trees. Destroy the liquor pots. Allow not the sale of toddy. Whatever you are forced to do, do not sell toddy."

Again this is an extract of a speech delivered by K. G. Gopalakrishnan of Thuravur, he who was finally prohibited from making speeches, on 26-11-1105 held at Ezhupunna under the presidency of Mr. Salem.

"Day before yesterday the Commissioner and the Assistant Commissioner had been at Kuthiathode and it is heard that licenses are refused to those Beedi makers on the ground that they favoured the temperance workers and that to check it they have devised this. Let the C. I. D. Shorthand reporters inform Government that if such is the idea of the Government, these Government officers will not even get a cup of water from this locality to quench their thirst. These contractors are inviting Mr. V. S. Subramonia Aiyer. What for? To tap. I believe they will be nearing Her Highness also."

Again at a public meeting held on 21-11-1105, under the presidency of Mr. T. J. Michael at Thuravur, Mr. K. G. Gopalakrishnan said:

"The restless policemen were also present everywhere for recording lectures, even though we have no fear. The Travancore Government will do everything for the sake of toddy. None of us will go back. If the Police require me, I am ready to hand over 200 men at a time. If the Police do not keep away from the arrest, fresh troubles will be coming which may end in heavy loss to the Government. If I am not arrested before the 5th Karkatakam 1105, I with 200 volunteers dressed in Khadar and Gandicap will drive away the police and the Excise from Kuttiathode.

I may say that he was not arrested by the 5th Karkatakam. He finally said;

"I only want 200 spirited volunteers."

Again at a meeting on the northern side of the Kottarathil school, Kadakarapalli, on 19-12-1105 under the presidency of Edavanad Mr. Padmanabha Menon B. A., B. L., Mr. K. G. Gopalakrishnan said:

"If they arrest any more now they will see the consequences. Valikkakad Kartha broke mattom, and he took back the trees. There was none to arrest him. Now the contractors began to come with us. No Dewan, Excise Commissioner or other Satan helped them".

Again:—

"The Excise Commissioner used to inspect the toddy shops which is below his dignity. No contractor should remit money. If anybody goes against us, we will try to ruin him. The tappers and drunkards should be excommunicated from societies. The toddy should be stopped from the 1st Chingom. No new trees shall be allowed for tapping. If so, picketing is to be done".

There is also another very long speech by Mr. K. G. Gopalakrishnan against the British Government which he ended by saying.

"I pray to God to give you strength to drive out the British."

So, Sir, I say that these temperance and prohibition meetings in Shertallai show that the workers were intemperate. They were aggressively active against those who were concerned with the liquor trade, those who drink; they were also aggressive against both the Travancore and the British Governments. Elsewhere in the State I do not think you will find any temperance meeting to have been prohibited except one at Chengannur which was prohibited because it was going to be held in front of a toddy shop. The meetings were worthy of being prohibited at Shertallai because of the tone of the speeches.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Is there no provision in the Penal Code which enables Government to take action against speakers who make seditious speeches?

MR. L. A. BISHOP (*Commissioner of Police*): Yes, Sir, there is provision in the Penal Code.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): When there is such a weapon, what is the necessity for passing the prohibition order?

MR. L. A. BISHOP (*Commissioner of Police*): That is not for me to say.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Then who is to say? From whom am I to get an answer?

MR. L. A. BISHOP (*Commissioner of Police*): Now Gopalan Nayar was one of the most active speakers in the 10th month of 1105. He was arrested and K. G. Gopalakrishnan took his place. I read out to you some of his speeches. He is the Secretary of the local Co-operative Taluk Bank and extremely influential in that way. When finally he was bound over and failed to give security and in his statement before the Magistrate he said that he was there to fight against the British Government. That is not part of temperance.

[Mr. L. A. Bishop.]

Now these extreme speeches and the acts of temperance workers in the taluk naturally led to opposition by the contractors. As has been said before there was great trouble in getting tappers to tap trees. Also the tappers and many of those who went to liquor shops, which they had a perfect right to do, and contractors were abused by the temperance workers. Parents and the more steady people in the taluk were upset and worried by the activities of the Atheist League and the other revolutionary and extreme political organisations that I mentioned before. The Romo Syrians who are members of the Roman Catholic Church were also, I understand, against these extreme temperance workers, because the Catholic Church is against prohibition and purely for temperance. They have felt that the temperance movement in Shertallai has gone too far.

Finally there are the approaching elections which have upset the whole of the taluk and I can safely say that much of the present agitation and the agitation prior to the meetings under reference has been accentuated by the feeling that the elections are near at hand.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): May I know what is the basis for the statement made by the Commissioner of Police that the high-handed action or the indifference of the Police on the 19th is due to the election compaign?

MR. L. A. BISHOP (*Commissioner of Police*): I am speaking about the attitude of the people in that taluk.

Besides this, Sir, I spoke about school masters who attended many of these meetings and took a prominent part in them. The repercussion on the young school boys has been very bad—another reason for the parents to be worried. It was common for young boys in that taluk, boys of all ages, to hoot Excise and Police Officers. When K. G. Gopalakrishnan and V. A. Gopalan Nayar were taken to their trial all the Excise and Police officers who were in front of the Magistrate's Court were hooted by the school boys of the local Vernacular School. They also broke down the fencing of the Police station. Then there was a personal matter which I am not much troubled about. When I went in my car to Turavur small boys threw sand at my car; luckily I was not hurt; my driver was. This is purely a personal matter; but I mentioned it to show that it is indicative of the feeling that existed in Shertallai taluk. You will find nowhere else in Travancore little boys doing that.

MR. A. THANU PILLAI (*Trivandrum*): May I know from the Commissioner whether at any time he invited the attention of the Director of Public Instruction to the attitude of the school boys at Shertallai in regard to this matter and their hooting proclivities.

MR. L. A. BISHOP (*Commissioner of Police*): I have been in communication with the Director of Public Instruction on that question.

Now we come down to the day which Mr. Pachu Pillai has mentioned, the day of the two meetings in Shertallai and outside. First of all, I would like to know from him, why K. G. Gopalakrishnan and

V. A. Gopalan Nayar should disobey the lawful order of the District Magistrate? They say they are loyal and law abiding. Why then should they disobey the lawful orders of the District Magistrate? Why should the local vakils and temperance workers organise a meeting to congratulate them on breaking the law. What is the mentality of a Vakil who is willing to preside at a meeting to congratulate people who disobey the lawful order of the District Magistrate?

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): May I know from the learned Commissioner of Police whether these meetings of the 19th were organised to congratulate K. G. Gopalakrishnan and V. A. Gopalan Nayar for disobeying the law?

MR. L. A. BISHOP (*Commissioner of Police*); The meetings were organised to be held two days after they were convicted to congratulate them. The presumption is that the meetings were organised to congratulate them for disobeying the law.

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): Was not the meeting of the 19th organised only to congratulate them for their activities in connection with prohibition?

MR. L. A. BISHOP (*Commissioner of Police*): No, it is to congratulate them for their other activities.

What is the mentality of a Vakil who is ready to preside at a meeting to congratulate persons who have broken the law?

Now Sir, I have mentioned that considerable opposition to the temperance workers started in the taluk owing to the aggressive attitude of the extreme political associations there and to the unrest among the more steady and sober members of the population as regards the spoiling of their boys by the school masters who were concerned in the temperance movements, and to the contractors who were worried by the success of the temperance movement. There was a general feeling of opposition to the temperance workers and it was for that reason that the D. S. P. brought in the Inspector from Vaikam to which Mr. Pachu Pillai alluded and had Inspectors and batches of police posted at the meetings.

Sir, the bit notice for these meetings did not say who was to be the Chairman. It simply said that there would be a public meeting. On their way to the meeting at Shertallai, a jatha of about 200 approached the *angadi* (bazaar) where they saw a number of people drinking at a toddy shop. They abused, as was the custom, those who were drinking. The latter objected to being abused and they also abused in turn. In the result, sand was thrown at these drinkers and they retaliated; the jatha broke up. There were no Police present.

MR. A. THANU PILLAI (*Trivandrum*): Is it a garbled version or correct version?

MR. L. A. BISHOP (*Commissioner of Police*): It is correct.

MR. A. THANU PILLAI (*Trivandrum*): On what basis does Mr. Bishop say that it is correct?

MR. L. A. BISHOP (*Commissioner of Police*): On the basis of th information that I got.

MR. A. THANU PILLAI (*Trivandrum*): Who supplied this infor mation and on what basis does the Commissioner of Police say that is a correct version? Of course, the Commissioner of Police said tha Mr. Pachu Pillai's version was a garbled one. I wish to know on wha basis the Commissioner of Police says that his is not a garbled versio but a correct version.

MR. L. A. BISHOP (*Commissioner of Police*): On the basis of th reports from the local officers received prior to my visit and fron reports from persons who saw me when I was there.

MR. A. THANU PILLAI (*Trivandrum*): I should like to know th names of the gentlemen who met the Commissioner of Police whe he was at Shertallai and who supplied him with the necessary ir formation?

MR. L. A. BISHOP (*Commissioner of Police*): I will come to tha in a few minutes.

Now, Mr. Pachu Pillai says that this meeting was broken up b rowdies, who had sticks in their hands and who were obviously invite by the Police, that the Police were watching the whole proceedings an doing nothing to prevent a break-up of the meeting. I think that i more or less how he put it. What actually and admittedly happene was that a certain gentleman was voted to the chair. Anothe gentleman from the crowd went and occupied the chair and made a speech. Obviously and admittedly there were two parties present a the meeting but it is not the duty of the Police to interfere even i there are two or even half a dozen chairmen proposed, provided there i no imminence of a breach of the peace. And there was no breach o the peace. It was an ordinary public meeting. Nothing untowar happened. Any person can occupy the chair. But if there is breacl of the peace or an extreme likelihood of the breach of the peace, then i is the duty of the police to break up the meeting. What happened There was one K. C. Kuttan, convener. He moved away towards his house a few hundred feet away. It entailed his walking through the maidan, crossing a road, and going through a compound belonging to hi brother-in-law, and thence through a hedge. He went there followed by a few of his followers. The Inspector warned him on the way and said that it was better not to have a meeting and then left him and wen back to where Mr. Gopalakrisha Prabhu, the chairman of the meeting was. When Mr. K. C. Kuttan had entered his compound, o was just entering his compound, some of his opponents came close to him; he turned round and called them *Vadukanmar* (വടുകന്മാർ.) I belove it has not got anything particularly bad about it but I learr that it is a term of abuse.

MR. A. THANU PILLAI (*Trivandrum*): May I know the meaning of the term?

MR L. A. BISHOP (*Commissioner of Police*): I understand from my friend on the right that it has got a very bad meaning; so I had better not explain it. It is a term commonly used towards Christians.

This naturally infuriated them and one or two gave him some blows with their fists. He then ran round his house because, on his own admission, his relatives had locked the doors and windows. He went twice or thrice round his house and finally jumped into a tank.

MR. A. THANU PILLAI (*Trivandrum*): May I know whether the Commissioner of Police has any information as to whether the Police tried to prevent these persons who were called *radukanmar* when they followed Kuttan?

MR. L. A. BISHOP (*Commissioner of Police*): The Police at that time were not close by at all.

MR. A. THANU PILLAI (*Trivandrum*): They were conveniently away?

MR. L. A. BISHOP (*Commissioner of Police*): If the member chooses to put it that way, he can.

MR. A. THANU PILLAI (*Trivandrum*): May I know whether that information is based on the reports furnished by the local officers at Shertallai?

MR. L. A. BISHOP (*Commissioner of Police*): On the information supplied by my subordinates at Shertallai, by respectable people at Shertallai and by reading the report called the Pattom Enquiry Report.

MR. V. J. OOMMEN (*Commerce and Industry, North*): Suppose a rowdy from outside comes into this Hall and forcibly takes the seat of our President. What is the duty of the Police in that case?

MR. L. A. BISHOP (*Commissioner of Police*): We will have the rowdy removed.

MR. V. J. OOMMEN (*Commerce and Industry, North*): Why was not the same done at Shertallai?

MR. L. A. BISHOP (*Commissioner of Police*): Because this meeting is fundamentally different from the meeting at Shertallai. The other meeting could be attended by anybody. Unlike this meeting, nobody was detailed for the chair in the notice.

MR. A. THANU PILLAI (*Trivandrum*): Does the Commissioner of Police think that there were no respectable gentlemen in that meeting?

MR. L. A. BISHOP (*Commissioner of Police*): I wish I were uninterrupted till I finish my speech. Even now I have got very hoarse. I have got to speak for some moments longer. If I am uninterrupted I will finish the speech soon.

PRESIDENT: You may try to finish it soon. We are nearing 5 o'clock

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ഇതിനു മുമ്പുള്ള സംഗതികളെയെല്ലാം അടിസ്ഥാനമാക്കിയാണ് ൧൧൨൧-യിലെ മീററിങ്ങിൽ കുറെ റൌഡികളെ കടത്തിവിട്ടു അക്രമം പ്രവൃത്തിപ്പിക്കണമെന്നു നിശ്ചയിച്ചതെന്നാണോ മെമ്പർ പറയുന്നതു്?

MR. L. A. BISHOP (*Commissioner of Police*): Great stress was laid bout the rowdies. It was said that rowdies attended the meetings. Labourers attend the meetings just as they do elsewhere, say, in Quilon.

[Mr. L. A. Bishop.]

Then they are called "honest labourers," praised and pointed out as converts from Drink. At these meetings here they were opposed to the policy of the announcement. For this they are called "rowdies" and not honest labourers. It is said that K. C. Kuttan was beaten by people brought by the Police, instigated by the anti-temperance workers, by contractors.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Were the people beaten at the *Angadi*?

MR. L. A. BISHOP (*Commissioner of Police*): Some of those who were drinking came out of the shop and drove away those who attacked them at *Angadi*. There were no Police there at all. Rowdies are said to have been present with sticks. How many persons were beaten? How many were beaten with those sticks? Only one person was beaten. Was he beaten with sticks? No, with fists. Not one stick was used. Only one individual was hit. That man seems to have abused the others. Was he taken to hospital on a stretcher bleeding? No, he quietly walked out of his tank. I say there were no Police, no rowdies there. This adjournment motion is moved purely on exaggerations There is no truth in it at all. The Police there are now on trial. This is the result of purely an electioneering move and I call it a shame that a body like the State Police should be subjected to such a treatment.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What is his opinion as regards the appointment of a committee?

MR. L. A. BISHOP (*Commissioner of Police*): I do not consider that the matter which is being talked about is worthy of a committee's investigation. I ask what is the need for a committee? This adjournment motion is brought forward on gross exaggeration of facts. If because a committee is appointed an adjournment motion is to be moved, I say it would be a travesty of justice. If I really thought there was anything in this, I would have asked Government to have an officer with the status of a District Magistrate to make a judicial enquiry but I do not believe that there is any truth in the allegations.

MR. K. P. NILAKANTA PILLAI (*Chiayinkil*): May I know whether he had any occasion to personally enquire into the affairs of Shertallai, or whether he personally took the statements of respectable people?

MR. L. A. BISHOP (*Commissioner of Police*): I am coming to that point. Mr. Pachu Pillai mentioned how he wired. He sent a report of the incidents that happened that day. You have heard Mr. Pachu Pillai's speech. You have heard his admission that it was on hearsay. You know how long it took to wring that admission out of him; you heard how half-heartedly he made it. Why should he not have honestly admitted that it was on hearsay?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Is not your information hearsay?

MR. L. A. BISHOP (*Commissioner of Police*): I admit it straight-away.

Mr. Pachu Pillai said it took a long time for me to go over. He asked me to go there and enquire. I knew that the District Magistrate was giving close attention to the matter. I myself had various other duties to attend to, all of them important. I was occupied in the capital with the functions connected with His Highness's stay. I had to work up my administration report. I had anticipations of trouble in Suchindram. I went up as soon as I could. I was satisfied wth. the conditions in the taluk. There were the Police and the Magistracy. The District Magistrate who is a superior officer was there and he would be perfectly able to take care of the situation and deal out justice.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): If nothing untoward happened at the meeting of the 19th, what was the necessity for a prohibition order on the 24th?

MR. L. A. BISHOP (*Commissioner of Police*): Let me try to finish my speech and then I shall answer questions.

I had Mr. Pachu Pillai's letter on the 11th. I then wrote to Mr. Pachu Pillai and asked him to meet me. He did so. I then asked him to give his account of what had happened and what he heard from the people there. I asked him to give the names of respectable people of the locality who could support him. He gave me a list of 13 or 14 persons. In the mean-time various other respectable men of the place visited me. I was not visited by any single individual who had any grievance against the Police nor by any of the temperance workers. None of them came. K. C. Kuttan did not come.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether K. C. Kuttan was informed of his presence there?

MR. L. A. BISHOP (*Commissioner of Police*): He could know very well that I was there.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Was there not a representation from the general public that they were annoyed by the movement started by the temperance workers?

MR. L. A. BISHOP (*Commissioner of Police*): There have been several petitions against the temperance workers. I had also a monster memorial.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): That is, apart from the toddy contractors?

MR. L. A. BISHOP (*Commissioner of Police*): I can give a list of them.

MR. A. THANU PILLAI (*Trivandrum*): How many days after the incident on the 19th did the Commisioner visit Shertallai?

MR. L. A. BISHOP (*Commissioner of Police*): Roughly a little over a month.

To come back to the point.

I say none of these people with grievances—temperance workers—none of these who said that they were assaulted, none with any direct grievances of any kind came to me. Further I understand that not a single case has been lodged in any court about the so-called atrocities.

MR A. THANU PILLAI (*Trivandrum*): There was a general feeling of insecurity at that time at Shertallai. People had lost confidence in the local officers. Was any representation made to the Commissioner about it?

MR. L. A. BISHOP (*Commissioner of Police*): It was mentioned to me by Mr. Pachu Pillai.

MR. A. THANU PILLAI (*Trivandrum*): Under these circumstances does he expect anybody to go and represent grievances?

MR. L. A. BISHOP (*Commissioner of Police*): I am not a local officer.

MR. A. THANU PILLAI (*Trivandrum*): Did the Commissioner notify about the fact of his tour?

MR. L. A. BISHOP (*Commissioner of Police*): I did not notify because there was no need to do so.

MR. A. THANU PILLAI (*Trivandrum*): Why?

MR. L. A. BISHOP (*Commissioner of Police*): It was for me to decide that.

I say, none of these people who are said to have had any grievances made any complaint in court. That is another point for my argument that it is entirely a gross exaggeration of events.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): Was there any letter from the Enquiry Committee at Shertallai to assist them?

MR. L. A. BISHOP (*Commissioner of Police*): That was rather amusing. I got a letter on the day the enquiry began. I said I could not comply with the request. Even if I had been able to comply with the request I could not have had time to do so.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): May I know whether he responded to the invitation of the public?

MR. L. A. BISHOP (*Commissioner of Police*): I said I did not. Even if I had a mind to do so, I could not have done so because the letter was received too late.

MR. A. THANU PILLAI (*Trivandrum*): May I know whether the late receipt of the letter was the cause for his non-co-operating with the Committee?

MR. L. A. BISHOP (*Commissioner of Police*): No, not the chief cause.

MR. A. THANU PILLAI (*Trivandrum*): Then, may I know the other cause?

MR. L. A. BISHOP (*Commissioner of Police*): It was not a recognised committee.

Then the member mentioned the grievances that a party of reserve Police was sent up to Shertallai taluk and said that no other taluk was so loyal. There was a prohibition order by the District Magistrate and it was disobeyed by K. G. Gopalakrishnan and Gopalan Nayar. I believe that this is the first time in the annals of Travancore that an order of a District Magistrate has been disobeyed.

The District Magistrate issued an order for prohibiting the public meeting, because of the two opposite parties in the place. And this order might also have been disobeyed so, as a precaution, a party of 30 constables and one Inspector was sent to Shertallai. After my visit I decided that the number could be reduced by one-half. When the term of the prohibitory order expires this party will probably be withdrawn. Till then we must have the party there. Further there will be unrest in the town.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Who is the immediate superior of the reserve party now at Shertallai?

MR. L. A. BISHOP (*Commissioner of Police*): A senior Head Constable. That is all I have to say.

MR. A. THANU PILLAI (*Trivandrum*): The Commissioner said that he will answer questions in the end. He said that he will give a list of the persons whom he consulted at Shertallai.

MR. L. A. BISHOP (*Commissioner of Police*): Among those who visited me were Mr. Pachu Pillai, two Christian gentlemen, who were Messrs. Isaac, and Chacko, Rev. Isaac, of the Roman Syrian Church, C. P. Varghese, Paupy Vakil, Kunjan Velayudhan Panikkar, Abraham Anthraper, various contractors, Mr. Krishnan, M. L. C., Gopalakrishna Prabhu and some others.

MR. A. THANU PILLAI (*Trivandrum*): May I know the nature of the information he got from them?

MR. L. A. BISHOP (*Commissioner of Police*): I do not think that I am at liberty to disclose it.

MR. A. THANU PILLAI (*Trivandrum*): Then he referred to the electioneering compaign. May I know what was the basis for that statement?

MR. L. A. BISHOP (*Commissioner of Police*): I assume from the trend of affairs in the taluk and from what I heard there.

MR. A. THANU PILLAI (*Trivandrum*): From the Commissioner's speech it seems that the condition of things in Shertallai was such that any kind of action taken by the Police has only to be supported. That, at any rate, was the impression produced in me when I was listening to his speech. He referred to the existence of certain organisations and I do not know how they are connected with the incidents of the 19th Kanni which are now the subject matter of discussion. What was the attitude of the Police in regard to these matters, whether the

[Mr. A. Thanu Pillai.]

incidents alleged are true, whether any serious thing took place, whether the Police acquitted themselves properly with respect to the incident at Shertallai—these are the matters which form the subject of discussion here.

Sir, it has been emphasised by Mr. Pachu Pillai and freely admitted by the Police Commissioner that there is a strong movement at Shertallai for the suppression of drink. That fact stands out very prominently.

The Commissioner of Police said that prohibition meetings have not been prohibited in other parts of the State. Sir, I would emphatically say in this House that the attitude of the authorities towards prohibition movements throughout the State has not been quite in consonance with their professions as to their policy towards drink. If meetings have not been prohibited wholesale in other parts of the State, that, I maintain, is because prohibition movement in other parts has not taken such deep root as in Shertallai. In Shertallai, the people have been exerting themselves to their utmost and doing their best to see that this devil, which I agree with some of those Shertallai people in calling, is soon got rid of. Of course the Commissioner of Police took exception to the expression 'devil' in respect of drink. But the people have been very active in that direction. The movement succeeded to such a large extent that the Excise authorities were alarmed. That furnishes the key to the clear understanding of the incidents which took place at Shertallai and to the attitude of the Police and Excise authorities and probably also to the other Governmental authorities in regard to this matter. There must we look for a clear understanding of that matter. If, in other parts of the State, prohibition meettings have not been prohibited wholesale this is the explanation for it.

Government have been from time to time making attempts to see that the prohibition movement does not spread. Of course, I have no time to expatiate on the activities of the Government. But it is a clear fact which is as clear as day light that if there is one thing in relation to Travancore politics that stands out prominent in modern times it is this, that the Government of Travancore in spite of their professions in regard to the question of drink have not been true, at any rate, in their activities in respect of that question. They appointed an Abkari Committee. That committee have submitted a report. What have the Government done in pursuance of that report? Year by year and from meeting of this Council to meeting of this Council we hear it said by them "We are for prohibition." What is it that they have done when people exert themselves with the object of abolishing drink? Government come in and say, "No, we are not for prohibition: we are for temperance. We could not allow you to hold meetings at this or that place." A very large number of organisations have been referred to here. All that cannot make us blind to the realities of the situation. In respect of the strong movement which was set on foot at

Shertallai, what is it, I ask, that Government have done to regulate the movement on healthy lines? I ask the Excise Commissioner who is here; I ask the Police Commissioner and I ask the Governmental authorities who are here. I ask them, what did they do to direct the movement on healthy lines? What did they do except to throw obstacles in the way and to embitter the whole situation? What else did they do? Was there anything in the nature of support offered by them? Did they seek the cooperation of these people? Did they say to the people "You are active and we will help you". Did they do anything like that? No, we do not find anything having been done. It is this conflict of attitude between the people and the Government—which I say should not exist in a State like Travancore—it is this conflict of attitude that has given rise to all these disturbances. If there is one thing that is clear from the speech of the Commissioner of Police, it is this, that the Government do not like the attitude of the people in this direction. Of course, I am now constrained to say that Government did not wish to see their Abkari revenue go down.

MR. L. A. BISHOP (*Commissioner of Police*): How does it follow from my speech?

MR. A. THANU PILLAI (*Trivandrum*): It does not follow from your speech alone. It follows from your speech and also from the whole situation and from the whole course of events during the past years. From these it is clear that Government do not wish to see that their Abkari revenue goes down. That has given rise to all these disturbances. One thing is clear. In Shertallai the movement succeeded to such a large extent that the authorities were afraid that they were going to lose, from their point of view in Shertallai. But I must tell the House that from the point of view of the people it is not a loss. The success of the prohibition movement is a distinct gain for which we all should strive. But anyhow, Government take a different view and it is due to this conflict of attitude between the people and the Government which I think has no place in Travancore that the whole events have taken place. That being the case, as Mr. Pachu Pillai says, the Excise authorities called in the aid of the Police. They wanted to see that this movement was nipped in the bud. I should not be taken to suggest that all that the speakers said there was in form acceptable or supportable. No. Some speakers might have gone out of their way occasionally. I do not know. Mr. Bishop would say that Mr. Pachu Pillai's version is a garbled version. But I ask, what is the basis of Mr. Bishop's version? I cannot accept as gospel truth, and Mr. Bishop need not expect this side of the House to accept as gospel truth that he says. On whose information does he speak? On the information supplied by the local officers against whose conduct this motion is made.

MR. L. A. BISHOP (*Commissioner of Police*): I said it was partly based on the information supplied by the officers. Only one-third of my information was supplied by them.

MR. A. THANU PILLAI (*Trivandrum*): He would not tell us how he got the other information.

Recently I have had occasion to go to Shertallai. I have had occasion to meet people who had a direct knowledge of the incidents and on the basis of their information I can say that the Government authorities, the Police and Excise, were not conducting themselves properly at Shertallai. I do not wish to go into details, because the time is drawing to a close. At any rate, it cannot be said about the conduct of the Police, that they were above blame. They were much to be blamed. Mr. Bishop would tell us what can we do?

MR. L. A. BISHOP (*Commissioner of Police*): I said what *need* we do? There was no occasion.

MR. A. THANU PILLAI (*Trivandrum*): When some rowdies come to the meeting, the Police see no occasion and so, if a number of people came with sticks in their hands the Police Commissioner says that he *need* do nothing. If Kuttan went into his premises and others followed him, the Police were not there. The Police were witnessing what took place at some other place.

MR. L. A. BISHOP (*Commissioner of Police*): I think the member is twisting what I said.

MR. A. THANU PILLAI (*Trivandrum*): It is a matter of opinion.

MR. L. A. BISHOP (*Commissioner of Police*): It is not a matter of opinion. It is a question of twisting what I said.

MR. A. THANU PILLAI (*Trivandrum*): It is a matter of opinion as to whether I twist what Mr. Bishop said. Mr. Bishop said that the Police were watching the course of events. Then somebody who was not the President got into the chair and spoke about the virtues of drink. And later on—

MR. L. A. BISHOP (*Commissioner of Police*): I never mentioned about the virtues of drink. I never used the phrase. Now the member is putting some other story and calling it mine.

MR. A. THANU PILLAI (*Trivandrum*): Sir, I do not like this interruption. That is how I understood what Mr. Bishop said. Kuttan went into his premises. Some people followed him. Some persons of the opposite party followed him. The police were watching. Then I ask, why were the Police there? And if the Police were not there, on what does the Commissioner base his statement. Was it not their duty to see that such things do not happen? If the Police were not there to prevent such occurrences and if the Police as alleged were enjoying the speeches that were made in praise of drink, it is a very healthy attitude on the part of the Police indeed! And the Police of all the departments of the State ought to encourage drink!

Sir, these events took place towards the beginning of this year. Of course, the Commissioner was ignorant of the whole affair. The people were clamouring for an enquiry. The Police Commissioner would lay before us in support of his statements the reports furnished by his subordinates and the local member of the Legislative Council

makes a contrary version. Mr. Bishop would have us believe that it is all garbled. Whom are we to believe? Is it the local member who has opportunities of coming into contact with the people who have suffered and who makes clear statements, definite statements, soon after this incident, wires to the Dewan, Police Commissioner, District Magistrate, sends written communications, or are we to believe the statement of the Police Commissioner who went to the spot one and a half months after the occurrences according to his own admission?

Mr. Bishop comes here and tells us that the verson of Mr. Pachu Pillai is a garbled version. Are we children to believe what he says?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What are we to infer from the unwillingness of the Commissioner of Police to have an enquiry?

MR. A. THANU PILLAI (*Trivandrum*): The inference is clear and I leave it to the House, to draw the inference.

MR. L. A. BISHOP (*Commissioner of Police*): I have no fear of our people meeting an enquiry at all. But I do not think it is necessary.

MR. A. THANU PILLAI (*Trivandrum*): But I can say this from the information I got from the people who reside at Shertallai and who suffer and from the statements made to me that there was a grave feeling of insecurity there. There was absolutely no confidence in the local officers. I asked several persons including Kuttan why they did not complain to the Magistrate. They all said invariably, "why should we complain?" These rowdies were instigated by the Police. What safety is there in this taluk? Why should we go and complain? Which Magistrate is going for decide rightly and justly?"

MR. L. A. BISHOP (*Commissioner of Police*): Are they still in the taluk or have they fled for safety?

MR. A. THANU PILLAI (*Trivandrum*): Mr. Bishop expects the people who feel that there is no safety to flee the land. Mr. Bishop would like them to leave Shertallai and Travancore for good. It is not for Travancoreans to leave Travancore when they feel that there is no sense of insecurity in the place. That only shows that the Government is so controlled. It is not for Mr. Bishop to say that these people should leave Shertallai. He ought to have thought twice before he put that question to me. (*Hear, hear.*)

Mr. Bishop also said that the boys of the place hooted at Police officers, Excise officers and toddy contractors.

MR. L. A. BISHOP (*Commissioner of Police*): I never said that they hooted at toddy contractors.

MR. A. THANU PILLAI (*Trivandrum*): They tortured the school boys. A representation was made, but whether that representation was considered or not we cannot definitely say. Whatever that be, one thing is clear that the Police tortured the people—poor boys, poor women.

MR. L. A. BISHOP (*Commissioner of Police*): Tortured women?

MR. A. THANU PILLAI (*Trivandrum*): Not exactly women.

PRESIDENT: It is now 5-30 and I think the discussion must automatically cease now.

MR. A. THANU PILLAI (*Trivandrum*): But I hope this state of things will also cease.

PRESIDENT: I can assure you that this discussion will be borne in mind and that every step that I consider necessary after going through the whole matter will be taken (*Hear, hear.*)

The discussion must now cease automatically under the Standing Orders.

The House will adjour now and meet again 11-30 A. M. tomorrow.

The Council adjourne at 5-31 P. M. to meet again at 11-30 A. M. the next day.

P. N. KRISHNA PILLAI,
Secretary to the Legislative Council.

TRAVANCORE LEGISLATIVE COUNCIL.

THIRD COUNCIL.

FIRST SESSION OF 1106.

(OFFICIAL REPORT.)

Thursday, 3rd Dhanu 1106/18th December 1930.

The Council re-assembled in the Victoria Jubilee Town Hall at Eleven-thirty of the Clock, Mr. A. Venkatarama Aiyar B. A., B. L., Ag. Dewan, presiding.

Mr. L. A. Lampard, Mr. K. Madhavan and Mr. S. Piraviperumal Pillai were absent.

QUESTIONS AND ANSWERS.

Public Offices at Kottayam.

35. **MR. A. C. KURIAKOSE** (*Minachil* cum *Devicolam*): Will the Government be pleased to lay on the table a statement showing:

(*a*) the names of the several public offices at Kottayam;

(*b*) the nature of the buildings in which they are held, whether rented or owned by the Government;

(*c*) if rented, the amount of rent paid per mensem; and

(*d*) the distance of the several offices from the Kottayam Taluk Cutcherry building?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*), (*b*), (*c*) and (*d*) A statement * containing the information is laid on the table.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ഈ പട്ടിക കൊണ്ടു കാണുന്നതു് ൧൭ വാടകക്കെട്ടിടങ്ങളാണു് ഉള്ളതു് എന്നാണു്. അവയ്ക്കു ൩൧൫ രൂപായിലധികം പ്രതിമാസം വാടക കൊടുക്കുകയും ചെയ്യുന്നു. അങ്ങനെ ഒരു വർഷത്തിൽ ൩,൭൮൦ രൂപായിലധികം വാടകയിനത്തിൽ ചിലവാകുന്നു എന്നും കാണുന്നു. എന്നാൽ ഈ കെട്ടിടങ്ങളിൽ ഒന്നൊഴികെ ശേഷം എല്ലാം മൂന്നു ഫർലാംഗ് അകലം ഇല്ലാത്ത കെട്ടിടങ്ങ

* *Vide* Appendix VIII — pages 234 to 236.

[Mr. A. C. Kuriakose.]

ളാണ് സ്ഥിതിചെയ്യുന്നതു്. ഇവയെല്ലാംകൂടി ഒരു കെട്ടിടത്തിൽ ആക്കി നടത്തത്തക്കവണ്ണം, കെട്ടിടം പണിയിക്കുന്നതിൽ ഗവണ്മെൻറിന് നഷ്ടം ഉണ്ടാകുമെന്ന് വിചാരിക്കുന്നുണ്ടോ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): അതു് ആലോചനയിൽ ഇരിക്കുന്നു.

Professors and Tutors in the Mathematics Section of the Science College.

36. **MR. A. C. KURIAKOSE** (*Minachil cum Devicolam*): Will the Government be pleased to state:

(*a*) the number of Professors and Tutors at present (2-1-1930) in the Mathematics Department of the Science College;

(*b*) whether during the regimes of Dewan Mr. Raghaviah and Dewan Mr. M. E. Watts any special provision was made to the effect that non-Brahmins belonging to communities that suffer inequality of treatment should be given preference in this department;

(*c*) whether it is a fact that it was a Brahmin that was selected for a fresh appointment in the same department this year (1105);

(*d*) whether there was for that appointment any applicant belonging to any of the communities that suffer inequality of treatment; and

(*e*) if so, the reason for not appointing him?

MR. K. GEORGE (*Chief Secretary to Government*):

(*a*)	Professors	...	2
	Assistant Professors	...	2
	Tutors	...	3

(*b*) There is no such order relating to the Mathematics Department, particularly, but Government have issued instructions to the Director of Public Instruction that the policy adopted by them for giving preference to applicants from communities inadequately represented in the service should be strictly adhered to.

(*c*) There were two vacancies in 1105. For the first vacancy a Brahmin and for the second a Roman Catholic Christian were appointed.

(*d*) For the first vacancy one Kshatriya, one Roman Catholic Christian and a Jacobite Syrian Christian were also applicants.

(*e*) The candidate with the best qualification was selected.

Public works in the Minachil taluk during 1095-1104.

37. **MR. A. C. KURIAKOSE** (*Minachil cum Devicolam*): Will the Government be pleased to state:

(*a*) whether any buildings have been constructed by the Public Works Department in the Minachil taluk during the last ten years (1095-1104), and, if so, what they are;

(*b*) whether there are any roads opened by the Public Works Department in the Minachil taluk during the last ten years, and, if so, what they are;

(*c*) whether any new bridges have been constructed by the Public Works Department in the Minachil taluk during the last ten years, and, if so, what they are;

(*d*) if the answers to parts (*a*), (*b*) and (*c*) show that no new works have been constructed, the reason for the same; and

(*e*) if any new work has been taken up, what its present (26-11-05) stage is?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) None except certain improvements to the Minachil Taluk Cutcherry and special repairs to the camp shed at Paliyannur and Erattupettah.

(*b*) (1) Conversion into a cart road of the Kidangur trace, 1st and 2nd sections.

(2) Conversion of the Minachil-Kaduthurithy trace into a cart road.

(3) Improvement and conversion into a cart road of the trace from Lalam to Ramapuram.

(*c*) (1) Three bridges in the Minachil-Kaduthurithy road and two in the Lalam-Ramapuram road.

(2) Reconstruction of the Kollappally bridge in the Lalam-Thodupuzha road.

(3) ,, ,, of the bridge at 6/5 of Lalam-Poonjar road.

(4) ,, ,, at 6/5 of Athirampuzha-Lalam road.

(*d*) This does not arise in view of the answers to parts (*a*), (*b*) and (*c*).

(*e*) All the works have been completed.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): പുതിയ കെട്ടിടങ്ങൾ എത്രയെണ്ണം പണിയിച്ചിട്ടുണ്ട് എന്നാണ് എന്റെ ചോദ്യം. ഇത്രയെണ്ണം നന്നാക്കിയിട്ടുണ്ട് എന്നാണ് മറുപടി. പുതിയ കെട്ടിടങ്ങളെപ്പററിയാണ് അറിയേണ്ടതു്. ഏതു പുതിയ കെട്ടിടം പണിയിച്ചു എന്നു് പറയാമോ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): പുതുതായി ഇല്ലെന്നു് പറഞ്ഞിട്ടുണ്ട്. ‘നൺ എക്സെപ്റ്റ്’ എന്നു പറഞ്ഞിട്ടുണ്ട്.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): റോഡിൽ പാലം പണിയിച്ചു എന്നു് പറഞ്ഞിരിക്കുന്നു. പഴയപാലങ്ങളെ പുതുക്കിയതാണോ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): പുതുതായി കെട്ടിയപാലങ്ങളാണു്.

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): സി. (൫) ഈ അഞ്ചു് പാലങ്ങളും പുതുതാണൊ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): അതെ. ഈ പത്തു വർഷങ്ങൾക്കു ശേഷം ഉള്ളതാണു്.

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): ഈ ൧൦ വർഷത്തിനശേഷം ഈ ളാലം—പൂഞ്ഞാർ റോഡിൽ ൫ പാലങ്ങൾ പണിയിച്ചു എന്നാണൊ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): അതെ.

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): അതിനു മുമ്പു് ഈ റോഡിൽ പാലം ഇല്ലാതിരുന്നു അല്ലെ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): അതിനുമുമ്പു് ഇല്ലാതിരുന്നു.

Statement of Clerks in the P. W. D. Division Office, Alwaye.

38. **MR. TARIATU KUNJITOMMAN** (*Muvattupuzha cum Todupuzha*) Will the Government be pleased to lay on the table a statement showing the number and the names of the clerks of the P. W. D. Division Office, Alwaye, who have been working there for a period of more than six years without interruption by transfer for more than ten months?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): One. Mr. B. Sesha Aiyar, acting Accounts clerk.

Bill to amend the Travancore Municipal Regulation, V of 1095.

39. **MR. K. PADMANABHA PANIKKAR** (*Ambalapuzha*): Will the Government be pleased to state:

(*a*) the action taken on the draft Bill for amending the Municipal Regulation, V of 1095, copy of which was sent to the Municipal Council, Alleppey, with Government letter R. O. C. No. 215/1923/Revenue and L. G., dated the 1st June 1923;

(*b*) whether they have received suggestions from the Municipal Councils regarding the proposed amendments to the Regulation;

(*c*) whether they are aware that the Municipal Councils experience great difficulty in recovering license fees for want of specific provisions in the existing Municipal Regulation; and

(*d*) if the answer to part (*c*) above is in the affirmative, what action they propose to take in the matter?

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): (a) and (b) Suggestions were received from various Municipal Councils and as some of the Councils wanted one or two more amendments to be included in the draft Bill, the introduction of the Bill in the Council had to be postponed. Government have now directed the Additional Head Sirkar Vakil to prepare two Bills to amend the Municipal Regulation as a whole.

(c) Government are aware that the absence of specific provisions in the existing Municipal Regulation for the recovery of license fees is causing some difficulty.

(d) The Additional Head Sirkar Vakil has stated that the matter will receive attention in the preparation of the new Bills.

MR. K. PADMANABHA PANIKKAR (*Ambalapuzha*): With reference to the answer to parts (a) and (b), may I know from the member the nature of the amendment suggested by this Council?

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): There are several amendments which have been referred to the Additional Head Sirkar Vakil. It was decided later that the Bill need not be taken up. The preparation of two fresh Bills has been ordered and they are now under consideration.

Construction of the road from Thrikariyur road to Vettilapara.

40. **MR. TARIATU KUNJITOMMAN** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to state:

(a) how long it is since an allotment was made in the Budget for opening a road from the Trikariyur road to Vettilapara;

(b) how many miles of the said road from the Thrikariyur road have been completed so as to be fit for cart traffic;

(c) whether any work has been done on that road till the 20th Kanni 1106; and

(d) whether the Chief Engineer inspected this road in 1927 and noted in his circuit diary that the same should be completed immediately?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*):

(a) Five years.

(b) About 1¾ miles.

(c) The earth work portion of the first and second sections of the road has been almost completed except in portions where land has not been acquired. The masonry works are also in progress. The work is not progressing at present pending acquisition of land; and the Land Revenue Commissioner has been asked to expedite acquisition proceedings. The work will be proceeded with after the land acquisition is over.

(d) Yes. He inspected the road in 1927 and left instructions to expedite its construction.

Statement, by caste, of officers drawing Rs. 20 and over in the Co-operative Department.

41. **MR. TARIATU KUNJITOMMAN** (*Murattupuzha* cum *Todupuzha*): Will the Government be pleased to lay on the table a statement, by caste, of:

(*a*) the officers drawing a pay of Rs. 20 and over in the Co-operative Department; and

(*b*) the number of permanent and acting appointments for a period of not less than six months to posts carrying a pay of Rs. 20 and over made during the two years ending the 20th Kanni 1106 in the Co-operative Department?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) and (*b*) The statements* are laid on the table.

Statement, by caste, of the officers of the Taluk Office and Pakuti Cutcherries of Todupuzha.

42. **MR. TARIATU KUNJITOMMAN** (*Murattupuzha* cum *Todupuzha*): Will the Government be pleased to lay on the table a statement, by caste, of the officers, including accountants and clerks, of the Taluk Office and Pakuti Cutcherries of Todupuzha?

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): A statement* furnishing the required information is laid on the table.

Extension of the Neriamangalam-Pallivasal road to the Bodi Railway station.

43. **MR. TARIATU KUNJITOMMAN** (*Murattupuzha* cum *Todupuzha*): Will the Government be pleased to state:

(*a*) whether they propose to connect the Neriamangalam-Pallivasal road with the Bodi Railway station in the British District; and

(*b*) if the answer to part (*a*) is in the affirmative, whether it is proposed to commence the work immediately?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) The answer is in the negative.

(*b*) This does not arise in view of the answer to part (*a*).

Clerks of the Todupuzha Taluk Office.

44. **MR. TARIATU KUNJITOMMAN** (*Murattupuzha* cum *Todupuzha*): Will the Government be pleased to state the number and names of the officers and clerks of the Todupuzha Taluk Office, who have been working there for more than three years continuously?

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): The only officers of the Todupuzha taluk who have been working there for more than three years are the clerks named below:

(1) K. P. Narayana Pillai,
(2) N. Raman Pillai, and
(3) S. Gopala Pillai.

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* *Vide* Appendices IX A and IX B—page 237.
* *Vide* Appendix X—page 238.

Appointments made by the Land Revenue Commissioner.

45. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to state:

(*a*) the number of appointments made by the Land Revenue Commissioner during the period between 1-12-1103 and 15-4-1106;

(*b*) the number of Muslims among those appointed:

(*c*) the number of graduates appointed during the period by the Land Revenue Commissioner; and

(*d*) the number of Muslim graduates among them?

MR. P. N. KRISHNA PILLAI (*Secretary to Government*):

(*a*) Acting appointments 6
Permanent Do. 4

(*b*) One

(*c*) Six

(*d*) One

Appointments in Colleges.

46. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to lay on the table a statement showing:

(*a*) the number of persons appointed in the Colleges of the State as Professors, Tutors and Clerks during the period between 1-12-1103 and 15-4-1106;

(*b*) the number of Muslims who got appointments among these: and

(*c*) the number of Muslims who applied for appointments during the period?

MR. K. GEORGE (*Chief Secretary to Government*):

(*a*) 22.

(*b*) Nil.

(*c*) Nil.

Appointments in the English School Section of the Education Department.

47. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to lay on the table a statement showing:

(*a*) the number of persons appointed in the English School Section of the Education Department as teachers (without including Arabic Munshis) and clerks during the period between 1-12-1103 and 15-4-1106.

(*b*) the number of Muslims among them; and

(*c*) the number of persons who applied for appointment as teachers and clerks in the Section during the period?

MR. K. GEORGE (*Chief Secretary to Government*):

(*a*) 13 acting clerks and 14 acting teachers.

(*b*) Orders appointing one were issued, but he did not join duty.

(*c*) 120 graduates and 215 undergraduates.

MR. P. S. MAHOMED (*Nominated*); ഒരാളിനെ നിയമിച്ചിട്ടുണ്ട് എങ്കിലും അയാൾ ഡ്യൂട്ടിയിൽ ചേൎന്നിട്ടില്ല എന്ന് പറയുന്നു. അവിടെ പകരം ആളെ അയച്ചുവോ?.

MR. K. GEORGE (*Chief Secretary to Government*): അതറിഞ്ഞുകൂടാ.

Opening of a road between Kottayam and Alleppey.

48. **MR. P. S. MAHOMED** (*Nominated*): (1) Are the Government aware that Kottayam is the most important place wherein land products and produce are first brought down for the purposes of sending them outside?

(2) Will they be pleased to state:

(*a*) whether there is land communication between Kottayam and Alleppey; and

(*b*) whether there is land communication between Kottayam and Cochin harbour?

(3) Are they aware that there is great apprehension among the merchants at Alleppey that the importance of the Alleppey Port will diminish if no communication by land is provided between Alleppey and Kottayam?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*):

(1) Government are aware that Kottayam is a centre for collecting land products and produce before they are transported to the sea ports.

(2) (*a*) There is no direct land communication between Kottayam and Alleppey.

(*b*) There is no through land communication up to Cochin but there is land communication up to Ernaculam.

(3) The information is noted.

Construction of a Bridge across the Shertallai Canal at Kommadi.

49. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to state:

(*a*) whether they received petitions and resolutions praying for the construction of a bridge at Kommadi across the Shertallai canal;

(*b*) whether any action was taken on the petitions or resolutions; and

(*c*) whether they are aware of the great hardships caused daily to a large number of people who have to cross the canal at Kommadi?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*):

(*a*) Yes.

(*b*) Yes. The Chief Engineer reports that he has called for a detailed report from the Division Officer as to cost, etc., and further action will be taken on receipt of that report.

(*c*) The information is noted.

Opening of a non-Departmental Anchal office at Putur, Kottarakara taluk.

50. **MR. R. KESAVA PILLAI** (*Kottarakara* cum *Kunnattur*): Will the Government be pleased to state:

(*a*) the number of non-Departmental Anchal Offices opened in the years 1105 and 1106 (till 14-4-1106)?

(*b*) whether there was any petition asking for a new office at Putur in the Ezhukone pakuti, Kottarakara taluk; and

(*c*) if so, whether it was granted?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*):

(*a*) 13 non-departmental Anchal Offices in 1105 and 2 non-departmental Anchal Offices till the end of Tulam 1106 were opened.

(*b*) Yes. A letter was received from Mr. R. Kesava Pillai, B. A., B. L., Member, Legislative Council, by the Anchal Superintendent.

(*c*) The prayer was not granted as no one has come forward to deposit the guarantee amount against loss to Government.

Committee for re-organising the Education Department.

51. **MR. ITTOOP ITTEECHAN** (*Kunnatnad*): Will the Government be pleased to state:

(*a*) whether they have appointed, at any time, a committee for re-organising the Education Department;

(*b*) if the answer to part (*a*) is in the affirmative, the year in which the committee was appointed;

(*c*) the work done by the committee till now (12-4-1106); and

(*d*) if it has turned out no work, the reason for the same?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) No.

(*b*), (*c*) and (*d*) In view of the answer to part (*a*), these do not arise.

Standard of knowledge of students of Class VII in Vernacular School and Form III in English Schools.

52. **MR. ITTOOP ITTEECHAN** (*Kunnatnad*): Will the Government be pleased to state:

(*a*) whether there is any difference in the standard of knowledge of the students who go up for the Vernacular School Leaving examination and the examination for Form III in the English Branch: and

(*b*) if the answer to part (*a*) is in the negative, the reason why no public examination is held for the III Form, while one is conducted for the VII Class?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes.

(*b*) This does not arise in view of answer to part (*a*).

MR. ITTOOP ITTEECHAN (*Kunnatnad*): മലയാളം ഏഴാംക്ലാസ് ജയിച്ച ഒരാളിനും ഇംഗ്ലീഷിൽ മൂന്നാംഫാറം ജയിച്ച ഒരാളിനും വല്ല വ്യത്യാസവും ഉണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*) മലയാളം ഏഴാം ക്ലാസിൽ പഠിക്കുന്ന ഒരു കുട്ടിക്ക് ഇംഗ്ലീഷുഭാഷ മൂന്നാം ഫാറത്തിൽപഠിക്കുന്ന കുട്ടിയുടെ അത്ര പരിജ്ഞാനം കാണുകയില്ല. അതുതന്നെവ്യത്യാസം.

MR. ITTOOP ITTEECHAN (*Kunnatnad*): ഇംഗ്ലീഷ് പഠിക്കുന്നവർക്കു ഇംഗ്ലീഷിലും മലയാളം പഠിക്കുന്നവർക്ക് മലയാളത്തിലുമാണ് പരിജ്ഞാനം കാണുന്നതു്.

MR. K. GEORGE (*Chief Secretary to Government*): ഭാഷയെ സംബന്ധിച്ച് മൂന്നാംഫാറത്തിലുള്ള കുട്ടിയുടെ അത്ര പരിജ്ഞാനം കാണുന്നതല്ല.

MR. ITTOOP ITTEECHAN (*Kunnatnad*): സർക്കാർപരീക്ഷ വേണമെന്നു പറയുന്നതു ഭാഷയിൽ പരിജ്ഞാനക്കുറവുള്ളതുകൊണ്ടാണോ?

MR. K. GEORGE (*Chief Secretary to Government*): ചോദ്യം ശരിയായി മനസ്സിലാകുന്നില്ല.

MR. ITTOOP ITTEECHAN (*Kunnattnad*): മലയാളം ഏഴാംക്ലാസിനു പബ്ലിക്എക്സാമിനേഷൻ വച്ചിരിക്കുന്നതു് ഭാഷയിലുള്ള പരിജ്ഞാനക്കുറവുകൊണ്ടു വച്ചിരിക്കയാണോ, അതല്ല വേറെ കാരണത്താലാണോ?

MR. K. GEORGE (*Chief Secretary to Government*): തേർഡ്ഫാറത്തിലുള്ള പരീക്ഷ സ്കൂൾപരീക്ഷയാണ്. ഏഴാംക്ലാസ് പരീക്ഷ പബ്ലിക് പരീക്ഷയാണ്.

MR. ITTOOP ITTEECHAN (*Kunnatnad*): അതിനുമാത്രമെ പബ്ലിക്കു പരീക്ഷ വയ്ക്കേണ്ട ആവശ്യമുള്ളോ; മററുപരീക്ഷകൾക്കും അതു വേണ്ടയോ?

MR. K. GEORGE (*Chief Secretary to Government*): അതു് പലസംഗതികളേയും ആലോചിച്ചു തീർച്ചയാക്കേണ്ട ഒരു സംഗതിയാണ്.

Government Schools imparting instruction in weaving.

53. **MR. ITTOOP ITTEECHAN** (*Kunnatnad*): Will the Government be pleased to state:

(*a*) the number of Sirkar schools in the State imparting training in cloth weaving; and

(*b*) the number of such private schools having Government recognition?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*):

(*a*) 2.

(*b*) 57.

Metalling of the Cutcherry road, Neyyattinkara.

54. **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*): Will the Government be pleased to state:

(*a*) whether the metalling of the Cutcherry road, Neyyattinkara, was sanctioned by them, and, if so, the amount sanctioned for the purpose; and

(*b*) whether subsequently they have withdrawn the sanction?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) The metalling of the road has not been sanctioned.

(*b*) This does not arise in view of the answer to part (*a*).

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether the P. W. D. have recommended the metalling of the said road?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The P. W. D. have stated that that road is necessary.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): But, have they recommended the metalling of that road?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): They have stated that it is a useful road.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Am I to understand that they have not recommended the metalling of the road?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes; they have recommended it.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know when that recommendation was made?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): On the 6th September 1929.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Have the Government passed final orders on it?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes; Government are of opinion that the metalling of the road may be postponed for some time.

Scheme proposed by the Acting Director of Public Instruction for the reorganisation of the Education Department.

55. **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*): Will the Government be pleased to state:

(*a*) whether the previous acting Director of Public Instruction has submitted to them any scheme for reorganising the inspectorial branches of the Vernacular and the English sections of the Education Department; and

(*b*) if so, whether they will lay a copy of the same on the table?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes.

(*b*) No, as correspondence from Heads of Departments is confidential.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): It is stated in the answer to part (*b*) that 'correspondence from Heads of Departments is confidential'. Am I to understand that schemes for the reorganisation of Departments, and correspondence relating to such schemes, are confidential and cannot therefore be placed on the table?

MR. K. GEORGE (*Chief Secretary to Government*): Yes; they cannot be placed on the table before Government have considered them.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): So, it is only after the Government have considered these schemes that they could be placed on the table?

MR. K. GEORGE (*Chief Secretary to Government*): Yes, surely.

Work of the Irrigation Committee.

56. **MR. A. THANU PILLAI** (*Trivandrum*): Will the Government be pleased to state:

(*a*) whether the Irrigation Committee appointed by them has submitted its report;

(*b*) if the answer to part (*a*) is in the negative, when the report is expected to be ready;

(*c*) how many meetings the Committee has already held; and

(*d*) what work the Committee is now (18-4-1106) engaged in?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) The answer is in the negative.

(*b*) By the end of Minam 1106.

(*c*) Six meetings till 18-4-1106.

(*d*) The Committee is now engaged in collecting the necessary evidence to enable it to prepare its report for submission to Government.

MR. A. THANU PILLAI (*Trivandrum*): May I know the kind of evidence that is now being collected by the Committee? Is it oral evidence, or statements in writing, or inspection by the Committee?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): They are taking oral evidence.

MR. A. THANU PILLAI (*Trivandrum*): Are they examining witnesses?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes.

Provident fund for Vernacular School teachers.

57. **MR. K. P. NILAKANTA PILLAI** (*Chirayinkil*): With reference to the representations made in the Legislative Council, regarding the introduction of Provident Fund for Vernacular School teachers, will the Government be pleased to state whether any action has been taken in the matter, and, if so, what?

MR. K. GEORGE (*Chief Secretary to Government*): Yes; the matter is receiving the attention of the Director of Public Instruction.

Vernacular School teachers employed as enumerators for Census work.

58. **MR. K. P. NILAKANTA PILLAI** (*Chirayinkil*): With reference to the Census operations in progress, will the Government be pleased to state:

(*a*) the total number of Vernacular School teachers employed as enumerators;

(*b*) the nature of the work to be done by these enumerators;

(*c*) the average number of dwelling houses which each enumerator has to visit;

(*d*) the time allotted to these enumerators for completing their work;

(*e*) whether the enumerators are expected to do their work without prejudice to their work as school teachers;

(*f*) whether they can give approximately the number of houses which an enumerator will be able to visit one day and the time required for collecting the necessary information from each house;

(*g*) the remuneration allowed to the enumerators for their work;

(*h*) whether any complaints have been received from the enumerators either by the Government or by the Census Commissioner; and

(*i*) if the answer to part (*h*) is in the affirmative, the nature of the complaints received and what action has been taken in the matter?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) 2,689.

(*b*) The enumerators should fill up the Census schedules for the houses assigned to them and also distribute and collect the unemployment schedules.

(*c*) From 300 to 400 houses in rural and from 600 to 750 houses in urban areas.

(*d*) Two months.

(*e*) Yes.

(*f*) From 6 to 10 houses in rural and 10 to 12 houses in urban areas.

From 20 to 30 minutes per house.

(*g*) Rs. 5 (five).

(*h*) Yes, a few.

(*i*) The complaint is mainly about the heaviness of the work. Relief has been afforded, where necessary, by the appointment of additional enumerators. Five extra holidays prefixed to the Christmas vacation have also been sanctioned. Besides, a proposal is before Government to allow the enumerators and supervisors concerned privilege leave on full pay for one month in compensation for their loss of the Christmas vacation this year.

Amalgamation of the English and Vernacular Branches of the Education Department.

59. **MR. K. G. PARAMESVARAN PILLAI** (*Quilon*): Will the Government be pleased to state whether Ag. Director Mr. K. V. Rangaswami Aiyangar had during his acting tenure submitted a scheme propos-

[Mr. K. G. Paramesvaran Pillai.]

ing the abolition of the posts of the Inspectors of English and Vernacular Schools, the amalgamation of the English and Vernacular branches of the Education Department and the division of the State into two or three Ranges, placing each under the charge of a Range Inspector?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

Reorganisation of the Secretariat.

60. **MR. A. S. DAMODARAN ASAN** (*Mavelikara cum Kartikapalli*): Will the Government be pleased to state:

(*a*) whether any reorganisation was effected in the Secretariat in Chingom 1106;

(*b*) if the answer to part (*a*) is in the affirmative, whether they had any proposal before them for the same when the Budget for 1106 was under preparation; and

(*c*) if the answer to part (*b*) is in the affirmative, why they did not include the same in the Budget for 1106?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) There was no regular reorganisation. But a few changes were effected in the number and pay of the superior officers and the distribution of work.

(*b*) and (*c*) The Government had not finally decided the changes at the time of the Budget session.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): May I know when the question of those few changes, that have now been effected in the Secretariat, were first contemplated?

MR. K. GEORGE (*Chief Secretary to Government*): It was under contemplation for some time; but effective proposals were made only after the Finance Committee met and passed the Budget.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): When was it first proposed?

MR. K. GEORGE (*Chief Secretary to Government*): That was about a year ago. But, as I said, definite proposals were made only after the Finance Committee met and passed the Budget.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Was it felt that the scheme must be immediately put into execution without previous intimation to the Council?

MR. K. GEORGE (*Chief Secretary to Government*): Yes; because, if it was postponed it would have to be postponed for a year, and that delay was not considered desirable.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Were not the Government aware, at the time of the preparation of the Budget, that this was an important matter and that therefore it should be placed before the Finance Committee?

MR. K. GEORGE (*Chief Secretary to Goverment*): I have already stated that effective proposals were made only after the Finance Committee meeting was over?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Though the question was before Government for about a year or so they

could not make definite proposals before the Budget was placed before the Finance Committee. I wish to know what was the cause of this delay.

MR. K. GEORGE (*Chief Secretary to Government*); Government did not come to any definite conclusion about the matter as to whether it was urgently necessary or not.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): So, the urgency was felt only after the meeting of the Finance Committee?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

Action taken on petition from Rev. Fr. D. C. Antony.

61. **MR. D. C. JOSEPH** (*Agastisvaram*): Will the Government be pleased to state what further action was taken on the petition of Rev. Fr. D. C. Antony as per Huzur Cutcherry letter D. Dis. No. 301 of 28/P. W., dated 16-3-1928, for opening an approach road to Asaripallam Village in the Agastisvaram taluk?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Government have not taken any further action in the matter as the interested parties have not given the undertakings asked for, as conditions precedent to the opening of the approach road, *viz.*, interested parties should surrender the lands free of compensation, pay the cost of such lands as will have to be acquired and give an undertaking to meet all further amounts awarded by the Land Acquisition Officer or by Civil Courts.

Road to Asaripallam village.

62. **MR. D. C. JOSEPH** (*Agastisvaram*): Will the Government be pleased to state whether steps have been taken to open a road to Asaripallam village and the other neighbouring villages in the Agastisvaram taluk?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The member is referred to the answer to interpellation No. 61.

Reorganisation of the Secretariat.

63. **MR. D. C. JOSEPH** (*Agastisvaram*): Will the Government be pleased to state:

(*a*) the date on which the Secretariat reform of 1106 was effected; and

(*b*) the date of the Budget Session of the year 1105 in which it was discussed?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) There was no regular reform of the Secretariat during 1106 except certain changes in respect of the Secretaries and the Assistant Secetaries. This change was effected on 3-1-1106.

(*b*) The question was not discussed in the Budget Session of the year 1105.

MR. A. THANU PILLAI (*Trivandrum*): May I request the Secretary to read a little louder?

Secretariat Reform.

64. **MR. A. THANU PILLAI** (*Trivandrum*): Will the Government be pleased to state:

(*a*) when the recent Huzur Secretariat reform was sanctioned; and

(*b*) why it was not indicated in the Budget for 1106?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) The member is referred to the answer to interpellation No. 60?

(*b*) The question was only under the consideration of Government during the Budget Session of 1105 and was not finally settled by them at that time.

MR. A. THANU PILLAI (*Trivandrum*): I wish to know the interval between the final settlement of the question by the Government and the discussion of the Budget in this House?

MR. K. GEORGE (*Chief Secretary to Government*): The final decision by Government was made when the Budget was being discussed in this House, that is, during the Budget meeting of the Council.

MR. A. THANU PILLAI (*Trivandrum*): So, if the Government wanted, the matter *could* have been placed before this Council in the Budget Session itself?

MR. K. GEORGE (*Chief Secretary to Government*): No; under no Rule or Standing Order, could the Government place it before the Council *during* the last Budget Session.

MR. A. THANU PILLAI (*Trivandrum*): That, I know. I want to know whether, if the Government had wanted it, they could not have included it in the Budget?

MR. K. GEORGE (*Chief Secretary to Government*): No; they could not have done it.

MR. A. THANU PILLAI (*Trivandrum*) What is the reason?

MR. K. GEORGE (*Chief Secretary to Government*): I have already stated that. The final decision was arrived at only *after* the meeting of the Finance Committee.

MR. A. THANU PILLAI (*Trivandrum*): I want to know the interval, the number of days, between the decision by the Government and the consideration of the Budget by this House?

MR. K. GEORGE (*Chief Secretary to Government*): I said that decision was arrived at during the consideration of the Budget by this House.

MR. A. THANU PILLAI (*Trivandrum*): Was it *after* or *before*?

MR. K. GEORGE (*Chief Secretary to Government*): I have repeatedly said '*during*' the consideration of the Budget, by this House, which I believe, takes place for about seven or eight days at a stretch.

MR. A. THANU PILLAI (*Trivandrum*): May I know the reason why it was not possible for the Government to come to a decision *before* the Budget was prepared?

MR. K. GEORGE (*Chief Secretary to Government*): It was not possible; that is all I can say.

MR. A. THANU PILLAI (*Trivandrum*): I wish to know *why* it was not possible. The matter was pending consideration for over a year; and it was an important matter?

MR. K. GEORGE (*Chief Secretary to Government*): I gave my answer to that question to Mr. Damodaran Asan, namely, that the necessity and the urgency of the matter were decided only after the meeting of the Finance Committee.

MR. A. THANU PILLAI (*Trivandrum*): So, the necessity for making the changes in the Secretariat, and the urgency of the matter were felt by the authorities only *after* the Budget was prepared.

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. A. THANU PILLAI (*Trivandrum*): So, that was the nature of the urgency.

It is stated in the answer that it was not a regular reform of the Secretariat, I wish to know what would constitute a reform of the Secretariat?

MR. K. GEORGE (*Chief Secretary to Government*): If you deal with the whole staff, the whole machinery and the system of work, then that would be reform. We have not done that.

Action against newspapers under the Newspapers Regulation.

65. **MR. MURUVELIL PACHU PILLAI** (*Shertallai*): Will the Government be pleased to state:

(*a*) the number of newspapers whose licenses have been cancelled ever since the enactment of the Newspapers Regulation;

(*b*) the names of such newspapers;

(*c*) the names of such newspapers whose security money has been added to the Government coffers under the Regulation, and the total money thus got by the Government:

(*d*) the number and names of the newspapers which have been called upon to submit explanations for not taking action against them under the Newspapers Regulation; and

(*e*) the number and names of the newspapers who have on this order apologised to the Government?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Two.

(*b*) The 'Prabodhakan' and the 'Sentinel'.

(*c*) The cancellation of the license of a newspaper entails the forfeiture of the license fee under Section 5 of Regulation, V of 1101. The license fee of each of the two papers was Rs. 25.

(*d*) No newspapers were asked to submit explanations. Four newspapers, *viz.*, (1) The 'Navasakti', (2) The 'Powra Prabha', (3) The 'Prathidinam', and (4) The 'Bhaje Bharatham' were called

[Mr. K. George.]

upon to publish unreserved expression of regret for having published certain objectionable articles, failing which they were told that Government would be constrained to take action against them.

(e) (1) The 'Navasakti', (2) The 'Powra Prabha' and (3) The 'Prathdinam'.

Standard of knowledge of V. S. L. C. Holders.

66. **MR. ITTOOP ITTEECHAN** (*Kunnatnad*): Will the Government be pleased to state whether they consider that the age and standard of knowledge of the V. S. L. C. holders are sufficient for the profession of Vernacular School teachers?

MR. K. GEORGE (*Chief Secretary to Government*): Yes. Under Rule 54 (a) of the Education Code, the V. S. L. C. is a prescribed general educational qualification for teachers of Classes I to IV of Primary Schools.

Under Rule 55, no one will be granted a license to teach if he is not 16 years of age.

Seats for women in Municipal Councils.

67. **MRS. ELIZABETH KURUVILA** (*Nominated*): Will the Government be pleased to state whether they realise the incongruity of continuing to maintain at the present time the clause in the Municipal Regulation debarring women from seats on Municipal Councils?

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): Yes; and they have asked the Additional Head Sirkar Vakil to make suitable provisions for removing the incongruity in the draft Bills he has under preparation to amend the Municipal Regulation.

Construction of a Legislative Council Hall.

68. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state:

(a) whether the question of the construction of a Legislative Council Hall is still (16-4-1106) engaging their attention;

(b) if the answer to part (a) is in the affirmative, the extent to which it has progressed and the reason for the delay in carrying out the proposal; and

(c) if the answer to part (a) is in the negative, the time at which and the manner in which the question was disposed of?

MR. K. GEORGE (*Chief Secretary to Government*): (a) Yes.

(b) The Government have not yet decided the site on which the Council Hall should be located.

(c) This does not arise in view of the answer to part (b).

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): With reference to part (b), may I know whether the Government had fixed any site at any time and whether such sites were considered by Government?

MR. K. GEORGE (*Chief Secretary to Government*) : Two sites were considered. One was on the recommendation of the committee. That site is the one opposite to the Public Offices covering the Imperial Bank of India and a few acres adjacent to that. That was found to cost if you acquire it and build the Council Hall on it, about five or six lakhs of rupees. Government thought that that was too expensive a proposition; and so, another site was thought of. That was, the site on this side of the law College. That, on consideration, was found to be too small for the purpose. The matter lies there.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): When was it found that the second site was not sufficient for the purpose?

MR. K. GEORGE (*Chief Secretary to Government*): That was in 1927.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know how I am to reconcile the following observations of the Dewan-President of this Council on the 9th August 1928 with the answer now given by the Chief Secretary.

> "MR. T. P. RAMASUBBA AIYAR (*Ag. Chief Seccretary to Government*) : Sir, in regard to the Council Hall, Government are equally interested in having one as early as possible. And, with this object, ever since the resolution was passed, Government have been, in correspondence with the Chief Engineer ; but unfortunately he is not able to select a suitable site.
>
> "PRESIDENT : That is not quite correct. The site has been settled, the preliminary plans have been drawn up and we are only waiting to bring forward a supplementary grant for the purpose.
>
> "MR. T. P. RAMASUBBA AIYAR (*Ag. Chief Secretary to Government*) : Sir, I was not aware of that.
>
> "PRESIDENT : The plans were shown to the members at the last Finance Committee meeting"?

MR. K. GEORGE (*Chief Secretary to Government*): I am now answering from the papers now before me. Perhaps, the then Dewan-President had before him certain other papers, relating to the question which I do not now have before me. That is all I can say. His answer might have been based on papers in his personal custody.

Senior District Superintendent of Police.

69. **MR. A. THANU PILLAI** (*Trivandrum*): With reference to the statement, "and the Senior District Superintendent became the Personal Assistant", made by the Commissioner of Police during the Budget Session of the Council on the 13th August 1930 (pp. 775-776 of Vol. XVII of the Council Proceedings), will the Government be pleased to state when Mr. Pitchu Aiyangar was declared the senior of all the District Superintendents?

MR. K. GEORGE (*Chief Secretary to Government*): Mr. Pitchu Aiyangar has not been declared by Government to be the senior of all the District Superintendents of Police.

MR. A. THANU PILLAI (*Trivandrum*): I wish to know whether the Commissoiner of Police did not refer to Mr. Pitchu Aiyangar when he spoke of the senior District Superintendent of Police being his Personal Assistant?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. A. THANU PILLAI (*Trivandrum*): May I know whether the D. S. P., who is the senior according to the Commissioner, is not the senior according to Government also?

MR. K. GEORGE (*Chief Secretary to Government*): The language of the Commissioner of Police was not quite clear. He meant only a senior D. S. P.

MR. A. THANU PILLAI (*Trivandrum*): Are there many senior D. S. Ps.?

MR. K. GEORGE (*Chief Secretary to Government*): There is relative seniority between the different D. S. Ps.

MR. A. THANU PILLAI (*Trivandrum*): It is not this kind of vagueness that I expect from Government. I wish to know whether there are more than one senior D. S. P?

MR. K. GEORGE (*Chief Secretary to Government*): Among the four D. S. Ps., three may be considered to be the senior D. S. Ps., and the fourth junior D. S. P. It was an inadvertant error on the part of the Commissioner of Police when he spoke of '*the senior*' D. S. P. being his Personal Assistant.

MR. A. THANU PILLAI (*Trivandrum*): I should have understood *that* answer if it had been given even at the outset. But, to say that, out of the four D. S. Ps., three are senior D. S. Ps., is a statement which I do not expect from Government. I can quite understand it if it was a mistake on the part of the Commissioner of Police.

MR. K. GEORGE (*Chief Secretary to Government*): I have already stated that it was an inadvertant error.

MR. A. THANU PILLAI (*Trivandrum*): That, I can appreciate. I merely wanted to know whether Mr. Pitchu Aiyangar has recently been made the senior D. S. P. I found from the Civil List that another gentleman was the senior D. S. P. I therefore wanted the information whether that gentleman had since been superceded. I expect a straightforward answer from Government; I can appreciate that.

Appointment of Personal Assistant to the Commissioner of Police.

70. **MR. K. P. NILAKANTA PILLAI** (*Chirayinkil*): Will the Government be pleased to state why the Senior District Superintendent of Police was not made the Personal Assistant to the Commissioner of Police?

MR. K. GEORGE (*Chief Secretary to Government*): No consideration of seniority was necessary in the case, as the Personal Assistant's appointment was not one of higher status than that of the District Superintendent of Police.

Improvement of paddy cultivation in the State.

71. **MR. V. S. KRISHNA PILLAI** (*Tiruvalla*): Will the Government be pleased to state whether they have issued orders to the Taluk Tahsildars to submit a list of irrigation channels in each taluk to improve the condition of paddy cultivation in the State?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Lists of irrigation channels, *chiras*, etc. were called for from the taluks for being supplied to the Irrigation Committee.

Statement of appointments made in the English High School for Girls, Trivandrum.

72. **MR. D. FRANCIS** (*Nominated*): Will the Government be pleased to lay on the table a statement, by caste, of the appointments made by them up to 32-1-1105 in service in His Highness the Maha Raja's English High School for Girls, Trivandrum?

MR. K. GEORGE (*Chief Secretary to Government*): As the question does not specify the period for which the information is required, no answer can be furnished.

Statement of appointments in the Vernacular Schools of the State.

73. **MR. D. FRANCIS** (*Nominated*): Will the Government be pleased to lay on the table a statement, by caste, of the appointments made by Government up to 32-1-1105 in service in the Vernacular Schools throughout the State?

MR. K. GEORGE (*Chief Secretary to Government*): As the question does not specify the period for which the information is required, no answer can be furnished.

Appendix VIII.

Vide Answer to Question No. 35.

List of Public Offices at Kottayam.

Name of the Department.	Name of the office.	(Nature) whether rented or not.	Amount of rent paid per mensem for the rented ones.			Distance from the Kottayam Taluk Cutcherry.
			Rs.	chs.	c.	
Land Revenue	(1) Dewan Peishkar's Office (2) Division Assistant's office	Government.	..	..	..	3 furlongs.
	(3) Divisional Treasury Office	Do.	..	..	..	Taluk Cutcherry itself.
	(4) Taluk Office	Do.	..	..	..	Do.
	(5) Pakuti Cutcherry	Do.	..	..	..	5 furlongs.
	(6) Survey School	Do.	..	..	..	3 Do.
Excise	(1) Assistant Excise Commissioner's Office	Do.	..	..	..	2½ Do.
	(2) Excise Inspector's Office	Rented.	7	0	0	2 Do.
	(3) Ware House	Government.	..	..	..	2 Do.
Forest	(1) Divisional Forest Office	Rented.	50	25	0	2½ Do.
Registration	(1) District Registrar's Office and Principal Sub-Registrar's office	Do.	50	25	0	2½ Do.
	(2) Additional Do.	Do.	25	12	8	1 mile.
	(3) Office of the Inspector of Co-operative Society	Do.	5	0	0	1½ furlongs

List of Public Offices at Kottayam.—(*contd.*)

Name of the Department.	Name of the office.	(Nature) whether rented or not.	Amount of rent paid per mensem for the rented ones. Rs.	ch.	c.	Distance from the Kottayam Taluk Cutcherry.
Administration of Justice	(1) District Judge	Government.	..	..	..	1 mile.
	(2) Addl. Judge (Temporary)					
	(3) Temporary Judge					
	(4) District Munsiff's Court	Do.	..	..	..	Taluk Cutcherry building.
	(5) Stationary Magistrate's Court	Rented.	30	15	0	¼ furlong.
	(6) Sirkar Vakil	Government.	..	..	..	1 mile.
	(7) Do. Temporary					
	(8) Panchayat and Bench Magistrate's Court	Rented.	20	0	0	½ furlong.
	(9) Civil Jail (already existing)	Government.	..	..	..	1 mile.
Police	(1) District Superintendent of Police and	Rented.	61	2	0	¼ furlong
	(2) Assistant Superintendent of Police					
	(3) Police Station to accommodate 75 prisoners	Government.	..	..	..	Taluk Cutcherry building itself.
Education	(1) Assistant Inspector of English Schools	Rented.	7	0	0	3 furlongs.
	(2) Do. Vernacular Schools	Do.	7	0	0	1 mile west of Taluk Cutcherry

List of Public Offices at Kottayam—(*concld.*)

Name of the Department.	Name of the office.	(Nature) whether rented or not.	Amount of rent paid per mensem for the rented ones.			Distance from the Kottayam Taluk Cutcherry.
			Rs.	Ch.	C.	
Education—(*contd.*)	(3) Assistant Inspectress of Girls' Schools	Rented	7	0	0	¾ furlong.
Agriculture	Agricultural Inspector's Office	Do.	15	0	0	2½ furlongs.
Sanitary	Assistant Sanitary Inspector's Office	Do.	8	0	0	4¼ furlongs.
Public Works Department	(1) Executive Engineer's Office (2) Sub-Division Office (3) Section Office	Government	..	..	..	2 furlongs.
Maramath Department	Maramath Circle Office	Rented	15	0	0	¼ furlong.
Anchal	(1) Anchal Office (2) Anchal Inspector's Office	Government Rented	.. 4	.. 0	.. 0	½ furlong. 2½ furlongs.

Appendix IX A.

Vide Answer to Question No. 41.

(*a*) Statement by caste of officers drawing a pay of Rs. 20 and over in the Co-operative Department.

Caste.		*No.*
I. HINDUS.		
Brahmins	...	8
Kshatrya	...	1
Nayars	...	13
Ezhavas	...	2
Vellalas	...	6
Other Hindus	...	1
II. MUSSALMANS.	...	1
III. CHRISTIANS.		
Protestants	...	3
Roman Catholic Syriac rite	...	1
Do. Latin rite	...	...
Syrians		
Jacobite	...	1
Mar Thoma	...	2

Appendix IX B.

***Vide* Answer to Question No. 41.**

(b) Statement by caste showing the No. of Permanent appointments and acting appointments for a period of not less than six months to posts carrying a pay of Rs. 20 and over made during the last 2 years ending the 20th Kanni 1106 in the Co-operative Department.

Caste.		*Permanent.*	*Acting and Temporary.*
Ezhavas	...	1	...
Nayars	...	...	3
Vellalas	...	...	2
Other Hindus	...	...	1
Mussalmans	...	...	
Roman Catholic Syriac rite	...	...	1

Appendix X

***Vide* Answer to Question No. 42.**

Statement, by caste, of officers in the Taluk Office and Pakuti Cutcherries of Todupuzha.

Designation	I. Hindus.				II. Mahomedans.	III. Christians.		Remarks.
	Brahmins (others).	Ezhava.	Nayar.	Vellala.		Romo.	Syrians.	
Tahsildar	1	...	...	...	...	...	..	
Head Accountant	...	...	1	...	...	..	..	
Head Clerk	1	...	...	...	...	...	..	
Treasurer	1	...	...	...	...	..	..	
Clerks 2 (25-40)	...	...	2	...	...	..	..	
Do. 4 (20-30)	1	...	3	..	...	..	...	
Proverthicars 1" Grade	...	...	1	1	...	..		
Do. 2" do.	...	...	1	...	...	...	..	
Do. 3" do.	...	...	1	..	...	...	..	
Do. 4" do.	...	...	1	...	...	..	..	
Accountants (19)	...	1	11	6	...	..	1	
Revenue Supervisor	1	...	...	..	...	..	..	

ADVERTISEMENT OF VACANCIES AND COMMUNAL REPRESENTATION IN PUBLIC SERVICE. (*Contd*)

PRESIDENT: We will take up the resolution that was partly discussed yesterday and continue the discussion now.

MR. MURUVELIL PACHU PILLAI (*Shertallai*): സർ, മി. കുര്യാക്കോസ് അവതരിപ്പിച്ചിട്ടുള്ള പ്രമേയത്തിന്റെ തത്വത്തോടു ഞാനും അനുകൂലിക്കുന്നു. ഈ രാജ്യത്തു പല സമുദായക്കാൎക്കും ഉദ്യോഗലാഭ വിഷയത്തിൽ അസമത്വങ്ങളുണ്ടെന്നു പറയുന്നതു സമ്മതിക്കാതിരിക്കാൻ നിവൃത്തിയില്ല. ഇവിടെ രാജ്യഭരണം സംബന്ധിച്ചുള്ള അധികാരങ്ങൾ അധികവും വഹിച്ചുകൊണ്ടു പോകുന്നതു് ഉദ്യോഗസ്ഥന്മാരാണ്. അതുകൊണ്ടു് അങ്ങിനെയുള്ള അധികാരങ്ങൾ വഹിക്കുന്ന ഉദ്യോഗങ്ങൾ എല്ലാവൎക്കും ഒന്നുപോലെ കിട്ടണമെന്നു വാദിക്കുന്നതു് എത്രയും ന്യായമായ ഒന്നാണു്. ഈ വാദം ഇന്നും ഇന്നലെയും തുടങ്ങിയിട്ടുള്ളതല്ല. വളരെ കാലമായി ഉദ്യോഗാവകാശത്തിനായി ഓരോ സമുദായങ്ങളും വാദിച്ചുകൊണ്ടിരിക്കുകയാണ്. ഇവിടെ ഇന്നു ഏതെങ്കിലും വൎഗ്ഗീയമത്സരം ഉണ്ടെന്നു വിചാരിക്കുന്നപക്ഷം അതിനുള്ള പ്രധാനകാരണം ഈ ഉദ്യോഗാവകാശവാദമാണെന്നു പറയുന്നതിൽ എനിക്ക് അശേഷം മടി തോന്നുന്നില്ല. അതുപോലെതന്നെ ശ്രീമൂലം പ്രജാസഭയിലും, നിയമസഭയിലും ഒട്ടുവളരെ സമയം ഈ വാദത്തിനു വേണ്ടി ചിലവാക്കുന്നുണ്ടു്. നാട്ടിലെ വൎത്തമാനപത്രങ്ങൾ അധികവും ഈ ഉദ്യോഗാവകാശവാദത്തിൽ ലയിച്ചിരിക്കുന്നു. സമുദായങ്ങൾ തമ്മിൽസൌഹാൎദ്ദമായി കഴിയാൻ ഈ വാദം നിമിത്തം തടസ്ഥമായി തീൎന്നിട്ടുണ്ടു്. ഇതു നിമിത്തം എല്ലാ സമുദായങ്ങളും ഒത്തൊരുമിച്ചു നിന്നു രാജ്യഭരണ സംബന്ധമായിട്ടുള്ള കാൎയ്യങ്ങളിൽ കൂടുതലായിട്ടുള്ള അവകാശങ്ങളും, അധികാരങ്ങളും കിട്ടണമെന്നു വാദിക്കുന്നതിനു നിവൃത്തിയില്ലാതെ വന്നിരിക്കുന്നു. ഇതിനെല്ലാം എന്താണു കാരണം? പരമാൎത്ഥത്തിൽ ഇതിനെല്ലാം കാരണം ഞാൻ പറയുന്നതു ഗവൎമ്മെന്റു തന്നെയാണെന്നാണു്. നിവൃത്തിയുണ്ടെങ്കിൽ ഈ സംഗതി ഗവൎമ്മെന്റിൽ നിന്നും ശ്രദ്ധിച്ചു എല്ലാസമുദായങ്ങൾക്കും ഏറക്കുറെ ഒന്നു പോലെ ഉദ്യോഗം ലഭിക്കാൻ എന്തെങ്കിലും ഒരു പദ്ധതി ഏൎപ്പെടുത്തണമെന്നു പ്രജാസഭയിലും, നിയമസഭയിലും പല ആവൎത്തി പറഞ്ഞിട്ടും അതിനു ഗവൎമ്മെന്റു താമസിയാതെ ഒരു പരിഹാരം ഉണ്ടാക്കാമെന്നു പറയുന്നതല്ലാതെ അതനുസരിച്ചു ഇതുവരെ ഒന്നും പ്രവൎത്തിച്ചിട്ടില്ല. അതുകൊണ്ടു് ഏതെങ്കിലും വിധത്തിൽ ഈ വാദത്തിനു ഒരു

[Mr. Muruvelil Patchu Pillai.]

പരിഹാരമുണ്ടാക്കാൻ സ്ഥിരമായ ഒരു നയം ഗവണ്മെൻറു അംഗീകരിക്കണമെന്നു അഭ്യർത്ഥിച്ചു കൊള്ളുന്നു. ഒരു സ്ഥിരമായനയം ഇപ്പോൾ ഉദ്യോഗം കൊടുക്കുന്ന വിഷയത്തിൽ ഗവണ്മെൻറു സ്വീകരിച്ചില്ലെങ്കിൽ ഇതുനിമിത്തം വളരെ അസ്വാസ്ഥതകൾ സമുദായങ്ങൾതമ്മിൽ ഉണ്ടാകുന്നതിനു ഇടയുണ്ട്. അതുകൊണ്ട് എന്തെങ്കിലും സ്ഥിരമായ ഒരു നയം ഗവണ്മെൻറു സ്വീകരിക്കണം. അതിലേക്കു മദ്രാസിൽ ഇതിനെ സംബന്ധിച്ചു ഒരു തീരുമാനമുണ്ടായതുപോലെ ഓരോ ടേൺ അനുസരിച്ചു ഉദ്യോഗം കൊടുക്കണമെന്നു ഒരു ജി. ഒ. ഇവിടേയും ഉണ്ടായാൽ കൊള്ളാം. ഈ വിഷയത്തെപ്പററി ഇവിടെ ജേർണലിസ്റ്റ് അസോസിയേഷൻ ഒരു കമ്മിററിയേ ഏർപ്പെടുത്തി. ആ കമ്മിററി ഇതിനെപ്പററി പര്യാലോചിച്ച് ജനസംഖ്യ അനുസരിച്ചും ഓരോരുത്തരുടെ മുറ അനുസരിച്ചും ഉദ്യോഗം കൊടുക്കണമെന്ന് ഒരു റിപ്പോർട്ട് പ്രസിദ്ധപ്പെടുത്തീട്ടുണ്ട്. അതുപോലെ ഓരോ സമുദായത്തിലേയും ജനസംഖ്യയനുസരിച്ചു ഓരോരുത്തരുടെ ടേൺ വരുമ്പോൾ അവക്കു ഉദ്യോഗം കൊടുക്കണം. അസമത്വസമുദായത്തിൽ ഉൾപ്പെട്ടവക്കു ലഭിക്കാൻ ഉള്ള ഉദ്യോഗം മററാളുകൾക്കു കൊടുക്കണ്ടാ. അസമത്വസമുദായത്തിലുള്ളവക്കു കൊടുക്കുന്നതിനു യോഗ്യതയുള്ളവരായി ആ സമുദായത്തിൽനിന്നും അപേക്ഷകർ ഇല്ലെങ്കിൽ അടുത്തസമുദായത്തിലുള്ള ആളുകൾക്ക് കൊടുക്കുക. അവരുടെ കൂട്ടത്തിൽ നിന്നും യോഗ്യന്മാരായ ആളുകൾ വരുമ്പോൾ അവക്ക് തന്നെ കൊടുക്കണം എന്നു വ്യവസ്ഥചെയ്യണം. ഏതുവിധമായാലും എഫിഷ്യൻസിക്കു കുറവു വരാതെ സൂക്ഷിക്കേണ്ടതും അത്യാവശ്യമാണു. ഒരേ സമുദായത്തിലുൾപ്പെട്ടവരായാൽ തന്നെയും ഒരുദ്യോഗത്തിന് ഒന്നിലധികം ആളുകൾ അപേക്ഷകന്മാരായി വരുമ്പോൾ ഒരേസമുദായത്തിലുൾപ്പെട്ട ആളുകളെ തമ്മിൽ പരീക്ഷിച്ചു അതിൽ ഏററവും യോഗ്യതയുള്ള ആളിനു ആ ഉദ്യോഗം കൊടുക്കണം. ഇങ്ങിനെയുള്ള പരീക്ഷകൾ നടത്തുന്നതിനു ഓരോസമുദായത്തിലുമുള്ള ആളുകളെ തിരിഞ്ഞെടുത്ത് ഒരു പട്ടികതയ്യാറാക്കുന്നതിനു ഒരു സ്റ്റാഫ്സിലക്ഷൻ ബോർഡ് ഏർപ്പെടുത്തിയാൽ തരക്കേടില്ല. ഉദ്യോഗനിയമനത്തിൽ ഡിപ്പാർട്ടുമെൻറുകളുടെ മേലധികാരം വഹിച്ചു കൊണ്ടിരിക്കുന്നവർ അതാതു ഡിപ്പാർട്ടുമെൻറുകളിൽ ഒഴിവു വരുമ്പോൾ, അതിനു ഇന്ന സമുദായക്കാരുടെ ടേൺ ആണെന്നും അങ്ങിനെയുള്ള ആളുകളെ തിരഞ്ഞെടുത്തയയ്ക്കുന്ന

തിനും സ്റ്റാഫ്സിലക്ഷൻ ബോർഡുകാരോടു ആവശ്യപ്പെടാവുന്നതാണ്. അങ്ങിനെ ബോർഡിൽനിന്നും യോഗ്യന്മാരെ അവരുടെ ടേൺ അനുസരിച്ചു അയക്കുന്നതു കൊണ്ടു യാതൊരു ആക്ഷേപവും ഇല്ല. ഏതായാലും ഉദ്യോഗങ്ങാം ഓരോ സമുദായക്കാക്കും അവരവരുടെ യോഗ്യതയും അവകാശവും അനുസരിച്ച് കിട്ടുന്നതിനു സുസ്ഥിരമായ ഒരു നയം ഗവണ്മെൻറു സ്വീകരിക്കേണ്ട കാലം അതിക്രമിച്ചിരിക്കുന്നു.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ഡിപ്പാർട്ടുമെൻറു മേലധികാരികാം സ്റ്റാഫ് സിലക്ഷൻ ബോർഡുകാരുടെ ശുപാശ അനുസരിച്ചു തന്നെ ചെയ്യണമെന്നാണൊ അഭിപ്രായപ്പെടുന്നതു്?

MR. MURUVELIL PACHU PILLAI (*Shertallai*) : പല സമുദായങ്ങളിൽ നിന്നും യോഗ്യന്മാരെ അവരുടെ ടേൺ അനുസരിച്ചുപേരു നിർദ്ദേശിച്ചു കൊടുക്കേണ്ട ചുമതല മാത്രമേ ബോഡിനുള്ളു. ഈ ബോർഡിൽ എല്ലാ സമുദായത്തിലുമുള്ള ആളുകളേയുംഅതായതു് ആറോ ഏഴൊ പേരെ പ്രധാനപ്പെട്ട സമുദായങ്ങളിൽ നിന്നും ഇതിൽ അംഗങ്ങളായി വച്ചു കൊള്ളുന്നതിനു തരക്കേടില്ല.

MR. A. THANU PILLAI (*Trivandrum*) : ഈ ബോർഡ് ഏതിനെ അടിസ്ഥാനപ്പെടുത്തിയാണ് പ്രവർത്തിക്കേണ്ടതു്?

MR. MURUVELIL PACHU PILLAI (*Shertallai*) : കൌൺസിലിൽ ഉംപ്പെട്ട നിയമസഭാംഗങ്ങളിൽ നിന്നോഅല്ലെങ്കിൽ പുറത്തു നിന്നൊ ഇതിലേക്ക് ആളുകളെ തിരിഞ്ഞെടുക്കാവുന്നതാണ്.

MR. A. THANU PILLAI (*Trivandrum*) : എന്നല്ല. ഉദ്യോഗത്തിനു ആളുകളെ തിരിഞ്ഞെടുക്കുന്നതിൽ ബോർഡ് എന്തിനെ അടിസ്ഥാനമാക്കി പ്രവർത്തിക്കണമെന്നാണ് ഞാൻ ചോദിച്ചതു്?

MR. MURUVELIL PACHU PILLAI (*Shertallai*) : ഇന്നയിന്ന സമുദായങ്ങളുടെ ടേൺ അനുസരിച്ചു കൊടുക്കണമെന്നുള്ളതിൽ സ്ഥിരമായ ഒരു നയം സ്വീകരിക്കണമെന്നു ഞാൻ ആദ്യമെ പറഞ്ഞു. ഒരു സമുദായത്തിൻെറ ടേൺ വരുമ്പോഠം ആ സമുദായത്തിൽ പെട്ട ഉദ്യോഗാത്ഥികളെ എല്ലാം കൂടി ചേത്തു ഒരു പരീക്ഷനടത്തി അതിൽ യോഗ്യന്മാരാണെന്നു കാണുന്നവരെ സ്റ്റാഫ് സിലക്ഷൻ ബോർഡ് ശുപാശ ചെയ്യും.

MR. A. THANU PILLAI (*Trivandrum*) : ആ നയം ആരു നിശ്ചയിക്കണം?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): നയംനിശ്ചയിക്കേണ്ടതു ഗവമ്മെൻറാണ്. ഇന്നാൎക്കു കൊടുക്കണമെന്നുള്ളതു ഗവമ്മെൻറു നിശ്ചയിക്കുന്ന ക്രമമനുസരിച്ചു വരുന്ന മുറയാണ്. സമുദായങ്ങളെ സവർണ്ണരെന്നും അവർണ്ണരെന്നും സവർണ്ണരിലുള്ള പ്രത്യേകം പ്രത്യേകം ജാതിവിഭാഗം എന്നും അതു പോലെ ക്രിസ്ത്യാനികളിൽ കത്തോലിക്കരും അകത്തോലിക്കരും എന്നും ഇങ്ങനെ പലമാതിരി വിഭാഗങ്ങളെ ചേൎത്ത് ഓരോരുത്തൎക്കും കിട്ടേണ്ട ടേൺ വരുമ്പോൾ അവരുടെ ജനസംഖ്യയനുസരിച്ചു ഉദ്യോഗംകൊടുക്കണമെന്നും നിശ്ചയിച്ചു വേണ്ടുന്ന വ്യവസ്ഥകൾ ഉണ്ടാക്കേണ്ടതു അത്യാവശ്യമാണ്.

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): ബോർഡ് ചെയ്യുന്ന ശുപാർശയെ ഡിപ്പാർട്ടുമെൻറു മേലധികാരികൾ അംഗീകരിക്കണമെന്നുണ്ടോ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): അതാണ് അങ്ങിനെ ഒരു നിബന്ധന ഗവമ്മെണ്ട് ഉണ്ടാക്കണമെന്നു പറഞ്ഞതു്.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): അതിനു സ്റ്റാഫ് സിലക്ഷൻ ബോർഡിൽ ഡിപ്പാർട്ടുമെൻറു മേലധികാരികൾ കൂടി അംഗങ്ങൾ ആയാൽ പോരെ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): അതു വേണമെന്നില്ല. ഇന്നയാളുകൾ വേണമെന്നു നിശ്ചയിക്കുകയാണ് ബോർഡ് ചെയ്യുന്നതു്. ഒരു മഹമ്മദീയനു കിട്ടേണ്ട ടേൺ വരുമ്പോൾ അവരിൽ നിന്നും യോഗ്യന്മാരെ തിരിഞ്ഞെടുക്കണം. അവരുടെ പേരു നിർദ്ദേശിച്ചാൽ അതു ന്യായമായിട്ടുള്ള വിധത്തിൽ തിരിഞ്ഞെടുത്തതാണൊ എന്നുള്ളതിനെപ്പറ്റിയുള്ള തീരുമാനം ഡിപ്പാർട്ടുമെൻറധികാരികൾക്കു തന്നെയായിരിക്കണം. ഇങ്ങിനെ ഒരു വ്യവസ്ഥ ചെയ്യുന്നതുകൊണ്ടു ഇതിനു ഏറെക്കുറെ പരിഹാരമുണ്ടാക്കാൻ കഴിയുമെന്നാണ് തോന്നുന്നതു്. ഈ സംഗതി ഗവമ്മെൻറിൻെറ ഗാഢമായ ശ്രദ്ധക്കു വിഷയമാകണമെന്നുള്ള അഭിപ്രായത്തോടുകൂടി ഈ പ്രമേയത്തിൻെറ മൂലതത്വത്തെ ഞാൻ പിൻതാങ്ങുന്നു.

MR. K. N. KESAVAN NAMPUTIRIPAD (*Jenmies*): Sir, I rise to oppose the resolution moved by Mr. Kuriakose. Representing as I do a minor community, I will be failing in my duty if I did not oppose any resolution which is directly or indirectly detrimental to the interests of that community. The resolution as it stands would do immense injury not only to the community which I represent but to all

other minor communities also. The resolution clearly states, that, in future, appointments should be based on communal basis or population basis. If you are going to accept that resolution, the minor communities would be shut off from the public service for ever. Though the mover has stated that it is intended to remove the inequalities and disabilities of the less represented communities, it creates many difficulties in the way of the least or non-represented communities getting appointments. I would be the first person to accept this resolution if some special privileges have been given to the less represented communities. As it is, the resolution does not provide any safeguards for the interests of the minor communities. It is most unjust and cruel to penalise certain persons for the fault of their ancestors. And after all, whose is the fault? The fault is that of the ancestors of the persons belonging to minor communities who have not been over anxious to swell the population and thus aggravate the economic distress of the country which is the direct result of over population. On these grounds I oppose the resolution.

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*) : I also support the principle of the resolution moved by Mr. Kuriakose. I find there are many practical difficulties in the working of it. The first question I would ask is, how are we to determine the various communities now prevalent in Travancore ? Are we to classify them according to the religion which they embrace, or, according to the denomination contained in those religions, or to the sects contained in those denominations? These are all very complicated questions. Take for instance the case of Nayars. Among them there is the *Veluthadan* and *Vilakkuthala*. For purposes of inheritance and succession, they may like to belong to the community of Nayars. But when the question of appointment comes they like to be classified separately. In point of education and in point of wealth, they are very backward and when the question of appointment is considered they do not like to be classified amongNayars. It is not likely they would get any appointment in the near future.

The second difficulty that would arise in the consideration of the resolution is, these communities might become enlarged and the communities may increase in future as this question crops up very seriously. Now the communities existing in Travancore are very few. If community is to become a qualification for appointment, from some day, in the future, we will find that some persons belonging to certain communities getting themselves converted into other communities. For example, among Hindus, there are Arya Samajists and Brahmo Samajists. That is, all the Hindus who now come under a certain community, may not get certain appointments if they remain in that particular community. If one gets himself converted into Aryasamajist or Brahmosamajist and if that community is recognised as a community—

MR. P. S. MAHOMED (*Nominated*) : ആര്യസമാജം ഒരു കമ്മ്യൂണിററി യാണോ?

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): There is no basis for classification of a community at all. That is my chief point.

Then why not classfify it as a community?

MR. L. R. RAJA RAJA VARMA KOILTAMPURN: (*Changanachery cum Peermade*): കമ്മ്യൂണിററി ഇപ്പോൾ ഉള്ളതേതെല്ലാ? ഇനിയും ഉണ്ടാകാൻ പാടില്ലേ?

MR. R. KESAVA PILLA (*Kottarakara cum Kunnattur*): നിശ്ചയമില്ല. ഇപ്പോഴുള്ള കമ്മ്യൂണിററിയെപ്പററി പറഞ്ഞാൽ എന്തുകൊണ്ട് ആര്യസമാജത്തിനെ ഒരു കമ്മ്യൂണിററിയായി പറഞ്ഞുകൂടാ?

MR. A. THANU PILLAI (*Trivandrum*): Do Arya Samajists belong to any particular caste?

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): No, they do not.

MR A. THANU PILLAI (*Trivandrum*): Don't they form a separate community by themselves?

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): They may also form a separate community.

MR. A. C. KURIAKOSE (*Minachil cum Devikolam*): തിരുവിതാംകൂറിൽ എതെല്ലാം സമുദായങ്ങളുണ്ടോ ആ സമുദായങ്ങളുടെ എല്ലാം അവകാശങ്ങളെ കൊടുക്കുന്നതിൽ ഈ പ്രമേയംകൊണ്ടു വല്ല പ്രതിബന്ധവും പ്രമേയപ്രയോക്താവു ഉണ്ടാക്കീട്ടുണ്ടോ?

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): പ്രമേയത്തിൽവിപരീതമില്ല. എന്നാൽ അതിനെ പ്രയോഗത്തിൽ കൊണ്ടുവരുന്നതിനു പ്രയാസമെന്നെ പറയുന്നുള്ളു.

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): അതിനെ പ്രയാസപ്പെട്ടെങ്കിലും പ്രയോഗത്തിൽ വരുത്തിയാൽ പ്രതിബന്ധം വരുമൊ?

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): അതിനെ പ്രയോഗത്തിൽ വരുത്താൻ പ്രയാസമെന്നല്ലാതെ വർഗ്ഗീയപ്രാതിനിധ്യം അനുസരിച്ചു ഉദ്യോഗം കൊടുത്തുകൂടാ എന്നു പറയുന്നില്ല.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery cum Peermade*): എല്ലാവൎക്കും കൊടുക്കണമെന്നു പറയുന്നതു ഇതിൽ വിരുദ്ധമായി വരികയില്ലേ?

MR. P. S. MAHOMED (*Nominated*): തൊഴിലാളികൾ ഒരു സമുദായമാകുമൊ?

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): തൊഴിലാളിഎന്നു പറയുന്നതു അവരുടെ തൊഴിൽ അനുസരിച്ചാണു്.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*) : വർഗ്ഗത്തേയും തൊഴിലിനേയും ഇതിൽ ഗണിക്കണമെന്നുണ്ടോ?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ഓരോ വർഗ്ഗത്തേയും കണക്കാക്കി അതിനെ അടിസ്ഥാനപ്പെടുത്തി കൊടുക്കുന്നതു പ്രയാസമാണ്.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): പ്രയാസമില്ലാത്ത വർഗ്ഗങ്ങൾക്കു ന്യായമായി ചെല്ലേണ്ട അവകാശം കൊടുക്കുന്നതിൽ വിരോധമില്ലല്ലോ?

MR. RAVATI NAL RAMA VARMA RAJA (*Edavagai*): ജനസംഖ്യയനുസരിച്ചു കൊടുത്താൽ ചില വർഗ്ഗങ്ങൾക്കു കിട്ടാതിരിക്കുവാൻ ഇടയാകുമെന്നു വിചാരിക്കുന്നില്ലേ?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): അതെ അതിനെപ്പററിയാണു മിസ്റ്റർ കേശവൻ നമ്പൂതിരിപ്പാടു പറഞ്ഞതു്.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ജനസംഖ്യ കണക്കുകൊണ്ടു ഇത്ര ആളുകൾ ഒരു സമുദായത്തിൽഉണ്ടെങ്കിലെ അവക്കു് ഉദ്യോഗം കൊടുക്കാവൂഎന്നു് ഈ പ്രമേയംകൊണ്ടു് അത്ഥമാകുന്നുവൊ?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : ജനസംഖ്യയുടെ തത്വം തന്നെ എന്താണ്?

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*); ഇത്ര ആളുകൾ ഉണ്ടെങ്കിലെ കൊടുക്കാവൂ എന്നു പ്രമേയത്തിനു അർത്ഥമുണ്ടോ?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ആ അത്ഥം അതിൽ അന്തർഭവിച്ചിട്ടുണ്ടെന്നാണ് എൻെറ അഭിപ്രായം. ഒരു ഉദ്യോഗംകൊടുത്തുകഴിഞ്ഞിട്ടു വേറെ ഒരു ഉദ്യോഗം കൊടുക്കേണ്ട അവസരം വരുമ്പോൾ ഈ ജനസംഖ്യയെപ്പററി അന്വേഷിക്കേണ്ട അവസരം വരുമെന്നാണ് എൻെറ അഭിപ്രായം.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): അങ്ങിനെവരുമ്പോൾ ഓരോ സമുദായത്തിൻേറയും അവകാശം അനുസരിച്ചു കൊടുക്കണമെന്നു ഗവർമ്മെൻറിനു ഒരു വ്യവസ്ഥ വയ്ക്കരുതൊ?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) പിന്നെ ജനസംഖ്യ അനുസരിച്ചു കൊടുക്കണമെന്നു പറയുന്നതിൻെറ അർത്ഥം എന്താണ്?

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery cum Peermade*): ജനസംഖ്യയെക്കൂട്ടുമ്പോൾ ഇത്ര ആളുകൾ ഉണ്ടെങ്കിലെ ഉദ്യോഗം കിട്ടുകയുള്ളു എന്നു വരികയില്ലെ?

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): അങ്ങിനെ വരും.

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): സ്പെഷ്യൽകേസുകളായി ഗണിച്ച് ചിലരെ ചില ഉദ്യോഗങ്ങളിൽ നിയമിക്കുന്നില്ലേ?

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*) : സ്പെഷ്യൽ കേസുകൾക്കു പ്രത്യേകം ഒരു റസല്യൂഷന്റെ ആവശ്യമില്ല.

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*) : മൈനർ കമ്മ്യൂണിററികൾക്ക അങ്ങിനെ ഒരു വ്യവസ്ഥ വയ്ക്കുന്നതിനു ഗവണ്മെന്റിനു കഴിയുകയില്ലയോ?

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*) : മൈനർ കമ്മ്യൂണിററികൾ ധാരാളമുള്ള സമിതിക്ക് അവരെ ചില എക്സെപ്ഷൻസ് മാത്രമേ ബന്ധിക്കുകയുള്ളു എന്നു വരുന്നതു് ശരിയാണോ?

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): മേജർ കമ്മ്യൂണിററിയുടെ സങ്കടപരിഹാരത്തിനു മൈനർ കമ്മ്യൂണിററി പ്രതിബന്ധമായി നില്ക്കുന്നു എന്നാണോ അഭിപ്രായം?

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*) : എന്നു പറഞ്ഞില്ല. മൈനർ കമ്മ്യൂണിററിയും മററു സംഗതികളും എല്ലാംകൂടി പ്രതിബന്ധമായി എന്നേയുള്ളു. മൈനർ കമ്മ്യൂണിററി മാത്രമല്ല.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): മെംബർ ഇതിനെപ്പററി എന്താണു പ്രതിവിധി നിർദ്ദേശിക്കുന്നതു്?

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): ഈ റസല്യൂഷനെ ഭേദഗതിചെയ്തു നല്ലവണ്ണം പരീക്ഷണംചെയ്തു് വേറെ ഒരു റസല്യൂഷൻ ഈ സഭമുമ്പാകെ അവതരിപ്പിക്കണം. അതിൽ വല്ല ഭേദഗതിയും ചെയ്യാനുണ്ടോ എന്നു ഒരു കമ്മിററിയുടെ ആലോചനക്ക് അയച്ചു ശേഷം ഒരു റസല്യൂഷൻകൊണ്ടുവന്ന് അതിനെപ്പററി പര്യാലോചന നടത്തണമെന്നാണ് എന്റെ അഭിപ്രായം.

MR. P. S. MAHOMED (*Nominated*) : അതു സമുദായത്തെ ആസ്പദമാക്കിയാണോ, അതല്ല മതത്തെ ആസ്പദമാക്കിയാണോ, എങ്ങിനെയാണ്?

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): മതത്തേയും സമുദായത്തേയും അടിസ്ഥാനപ്പെടുത്തിയല്ലാതെ പിന്നെ ഏതിനെ അടിസ്ഥാനപ്പെടുത്തിയാണ് നിശ്ചയിക്കുന്നതു്?

PRESIDENT: Would it not be better that the answer is directed to the President? That rule need not be ignored entirely.

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): ഈ റസൊല്യൂഷൻ ഒരു കമ്മിററിയുടെ ആലോചനയ്ക്കു കൊടുത്തശേഷം പാസാക്കുന്നതിൽ തരക്കേടില്ലെന്നാണോ മെമ്പറിന്റെ അഭിപ്രായം?

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): അതെ. അങ്ങിനെ പാസാക്കിയാൽ തരക്കേടില്ലെന്നാണ് എന്റെ അഭിപ്രായം.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): ഏതുവിധത്തിൽ പരിഷ്കരിക്കണമെന്നുള്ളതിനു മെമ്പറിനു പ്രത്യേകമായ അഭിപ്രായം ഇല്ലേ?

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): എന്റെ പ്രത്യേകമായ അഭിപ്രായത്തിനും ഇവിടെ പറഞ്ഞപോലെയുള്ള പല വിഷമങ്ങളും വരും.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): എങ്കിലും അങ്ങിനെ ഒരു അഭിപ്രായമില്ലേ?

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): അഭിപ്രായം ഉണ്ടു്. എന്നാൽ അതിനെ എല്ലാപേരോടും ആലോചിച്ചു് അവരും കൂടി യോജിക്കുന്നതാണോ എന്നു് നോക്കേണ്ടിയിരിക്കുന്നു.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): ആ അഭിപ്രായത്തെ ഇപ്പോഴ തന്നെ ഇവിടെ പ്രസ്താവിക്കുകയാണെങ്കിൽ എല്ലാവരും ഇരിക്കുന്ന ഈ സമയത്തു് എല്ലാവരും അഭിപ്രായം പറയുന്നതിനു് കൂടുതൽ സൌകര്യം അല്ലെ ഉള്ളതു്?

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): അതു് പെട്ടെന്നു് അഭിപ്രായം പറയേണ്ട ഒരു സംഗതിയല്ല. നല്ലവണ്ണം ആലോചിക്കേണ്ട ഒരു സംഗതിയാണ്.

MR. ITTOOP ITTEECHAN (*Kunnatnad*): ഈ സ്ഥിതിയിലായാൽ ഉദ്യോഗം കൊടുക്കുന്നതിനു് വിഷമം വരുമെന്നു് പറഞ്ഞു. ഭിന്നവർഗ്ഗക്കാർ ധാരാളമുള്ള മദ്രാസ് പ്രസിഡൻസിയിൽ റൊട്ടേഷൻസ്കീം അനുസരിച്ചു കൊടുത്തുവരുന്നു. അതുപോലെ ഈ റസല്യൂഷൻ അനുസരി

[Mr. Ittoop Itteechan.]

ച്ച് അതിന്റെ തത്വത്തോട് ചേന്ന ഉദ്യോഗം കൊടുക്കുന്നതിന് വിഷമം ഇല്ലല്ലൊ?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): അവിടെ ഈ വിഷമങ്ങളം വന്നിട്ടില്ല എന്ന് എനിക്കു നിശ്ചയമില്ല. ഉണ്ടെന്നാണ് എന്റെ അഭിപ്രായം. ഈ വിഷമം പരിഹരിക്കുന്നതിന് അവിടെയും പരിശ്രമിക്കുകതന്നെ ചെയ്യുന്നു.

MR. ITTOOP ITTEECHAN (*Kunnatnad*): ഇപ്പോഴും നടപ്പിലിരിക്കുന്ന സമുദായങ്ങളുടെ അവകാശങ്ങളെ കൊടുക്കുന്നതിന് വിരോധമുണ്ടോ?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ഇപ്പോഴും തിരുവിതാംകൂറിൽ വർഗീയപ്രാതിനിധ്യമനുസരിച്ച് ഉദ്യോഗം കൊടുക്കുന്നില്ലെന്നാണൊ പറയുന്നത്? അങ്ങിനെ അല്ലെങ്കിൽ ചില വർഗ്ഗക്കാരെ ഇന്ന് പല ഉദ്യോഗങ്ങളിലും കാണുന്നതല്ല. അതുകൊണ്ട് അതുമാത്രം പ്രയോഗത്തിൽ കൊണ്ടുവരുന്നു എന്നാണ് എന്റെ അഭിപ്രായം. കൊണ്ടുവരുന്നില്ല എന്ന് അഭിപ്രായമില്ല.

MR. ITTOOP ITTEECHAN (*Kunnatnad*): അങ്ങിനെ കണ്ടുവരുന്നു എങ്കിൽ ഈ പ്രമേയത്തിന്റെ ആവശ്യം ഇല്ലാതിരിക്കുമെല്ലോ?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ഈ തത്വത്തെ ആസ്പദമാക്കി മേലാൽ ഗവമെന്റ് പ്രവർത്തിക്കണമെന്നാണ് റസല്യൂഷൻ കൊണ്ടുവന്നിരിക്കുന്നത്.

MR. ITTOOP ITTEECHAN (*Kunnatnad*): അതൊന്നും കാണുന്നില്ല.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ഗവമെന്റ് എന്നുപറയുന്നതും മനുഷ്യരാണ്. ഒന്നിനും പൂർണ്ണത്വം വന്നിട്ടില്ല.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): ഭേദഗതിയെപ്പററിയാണല്ലൊ വാദം നടക്കുന്നത്.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): അതുകൊണ്ട് ഭേദഗതിയെ അനുകൂലിക്കണമെന്നില്ല. ഞാൻ റസല്യൂഷനെപ്പററി പറയുകയാണ്.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അതിനെ പ്രതികൂലിക്കുകയാണോ?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): അതു് പിന്നീടു പറയാം.

MR. V. CHELLAM PILLAI (*Tovala*): രണ്ടുവൎഗ്ഗത്തിലും ഓരോലക്ഷം ആളുകൾ ഉണ്ടെന്നു വിചാരിക്കുക. അതിൽ ഒരു വൎഗ്ഗം ഒരു ലക്ഷംരൂപായും മറ്റേവൎഗ്ഗം ആയിരംരൂപായും റവന്യൂ കൊടുക്കുന്നു. ഇതിൽ ഏതുവൎഗ്ഗത്തിനാണു് കൂടുതൽ ഉദ്യോഗം കൊടുക്കേണ്ടതു്?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ഇതു് ആലോചിക്കേണ്ട ഒരു സംഗതിയാണു്. ദേഹാദ്ധ്വാനംചെയ്തു റവന്യൂകൊടുക്കുന്ന ആളുകളുടെ കാൎയ്യത്തെപ്പററിയും ഉദ്യോഗദാനവിഷയത്തെപ്പററിയും ആലോചിക്കേണ്ടതാണു്. ധനസ്ഥിതിയെ അടിസ്ഥാനപ്പെടുത്തിയാൽ പോരെന്നുള്ളതും ആലോചിക്കേണ്ടതാണു്.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): ഗവൺമെൻറിനു റവന്യൂ കൊടുക്കാത്തവർ ദേഹാദ്ധ്വാനം ചെയ്യുന്നുണ്ടോ?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ദേഹാദ്ധ്വാനംചെയ്തില്ലെങ്കിൽ മനസ്സുകൊണ്ടായിരിക്കും അദ്ധ്വാനംചെയ്യുന്നതു്. ദേഹാദ്ധ്വാനത്തിനാണോ മനസ്സുകൊണ്ടുള്ള അദ്ധ്വാനത്തിനാണോ കൂടുതൽ വില കല്പിക്കേണ്ടതു് എന്നുള്ളതും ആലോചിക്കേണ്ട ഒരു സംഗതിയാണു്.

Then it is very difficult to classify. Hereafter a Civil Marriage Bill may crop up and when it comes into force, it will be difficult to decide a particular community to which a man or woman married belongs.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): മാൎയ്യേജ് എന്നു പറയുന്നതു് രജിസ്റ്റ്രേഡ് കാൺട്രാക്ടു് അനുസരിച്ചുള്ളതും വിവാഹബന്ധത്തിൽ വരുമെന്നു് അഭിപ്രായമില്ലേ?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): രജിസ്റ്റർമാൎയ്യേജസും ധാരാളം ഉണ്ടാകുന്നുണ്ടു്.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): രണ്ടു പ്രത്യേക ജാതിയിലൊ കമ്മ്യൂണിററിയിലൊപെട്ടവർ തങ്ങളിലും വിവാഹബന്ധത്തിൽ വരികയില്ലേ?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*); അങ്ങിനെയുംവരും. മാൎയ്യേജ്കൊണ്ടു് അവർ രണ്ടുപേരും ഒരു വൎഗ്ഗത്തിൽ ഉൾപ്പെടും. അതും ഒരു ജാതിയാണു്. ഉദ്യോഗദാനവിഷയത്തിൽ ഇതൊക്കെ ആലോചിക്കേണ്ടിവരും.

MR. V. CHELLAM PILLAI (*Tovala*) : അങ്ങിനെവരുമ്പോൾ പ്രത്യേകം കമ്മ്യൂണിററികൾ ഇല്ലാതെയായി എല്ലാം ഒരു കമ്മ്യൂണിററിയായി വരികയില്ലേ?

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): ഇപ്പോൾ അതിന്റെ ആവശ്യമില്ലല്ലോ.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): In such cases, would it not be better, that, when a marriage takes place between two communities, appointments be distributed in the proportion of half and half.

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): That can be answered only after ascertaining the sense of the person married.

The next question that has to be considered is whether it would not prejudicially affect the claims of represented communities. According to this resolution, for the next five years, individuals,who are qualified and who belong to the represented community, are not to get any appointments. That is really hard. Represented communities have got appointments and the qualified men of those communities are not to be given appointments because some individuals belonging to those communities have got appointments in the past—this is a ridiculous position. It cannot be accepted as a reson for neglecting or rejecting their claims. They are entitled to appointments because they have got a right to it. They should not be found fault with, because, their ancestors belonging to that particular community have got appointments.

Then there is another thing in the resolution. Not only in the matter of recruitment but in the matter of promotions also, the resolution urges to adopt the question of communal representation. If communal representation is to be considered in the matter of promotions as well, then I will ask, where is the place for efficiency, talents and for skill. I must say, that efficiency is not the monopoly of any particular community. To-day if we find as our departmental heads certain individuals belonging to Brahmin, Nayar or Christian communities, tomorrow we may find Mahomedans as well in very high posts and positions in the State. They may turn out to be better lawyers, better judges and better magistrate in course of time. They can aspire to such high places. So what I say is, that in the matter of promotions communal representations should not be given any place at all.

Parker in the Public Service Commission said that communal representation as it is cannot be accepted in an enlightened and advanced country. So far as Travancore is concerned we may say that it is an enlightened State. But I am not prepared to say that in the matter of appointment, it is equally advanced. Those who have got the power of appointment with them are very partial in the matter of distributing appointments. And it is on that ground there is strife for communal representation and communal appointment. Appointments on the basis of communities is justifiable here only on this ground, that is, an impartial distribution of offices should be made by those who are responsible

for that. If such a distribution is made, then, there would be no complaint at all for communal representation. So long as we connot make such an equal distribution of offices we must recognise the claims of communities who are entitled to it. With these words I support the principle underlying the resolution.

MR. A. THANU PILLAI (*Trivandrum*) : May I request that the official side be called upon to speak?

MR. K. GEORGE (*Chief Secretary to Government*) : After listening to the speeches delivered here yesterday and to-day, I find myself placed in a difficult position. In the first place I have ceased to count the number of times this question of communal representation has come before this House, in one shape or other, and the discussions we have had here yesterday and to-day have not, I regret to say, thrown any additional light on the question to what we have ever had.

In the second place, we have before us the resolution with the first amendment and with the second amendment. The discussions here have not focussed to any definite issues and as the Government member in charge of the resolution, I find myself in a position of difficulty because, I have to speak on both the resolution and the amendments. The House, at least the major part of the speakers, I find, have spoken only on the principle underlying the resolution. The mover himself has not dealt at length with the meaning and implication of the resolution he has moved nor has any other member spoken on the question. This difficulty was pointed out by my friend Mr. Nilakanta Pillai and the only other speaker who has dwelt on that topic is Mr. Kesava Pillai. We are here to speak on the resolution as it is moved. I do not find myself at variance with the principle of the resolution, the principle being, that communities which have not adequate representation in the public service should have that representation. I do not find myself at variance with that principle at all. But I am not here to discuss the principle, but rather the resolution which has been moved before this House. As I said, neither the mover nor the speakers after him, except one or two, have dwelt at length on the underlying principle, ideas and implication of the resolution. Therefore I take the liberty of analysing the resolution, I mean the resolution as amended by Mr. Ittoop Itteechan.

Sir, the resolution may be regarded to have four parts. The first is that there should be advertisement of vacancies and that is to cover a period of five years. The second is, that during that period, preference should be given to the unrepresented communities. The third is that in the selection of candidates for posts the only consideration should be the minimum qualifications. Lastly, this policy should apply not only to initial appointments but also to promotions.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*) . Has not Mr. Ittoop Itteechan dropped the period of five years in his amendment?

MR. K. GEORGE (*Chief Secretary to Government*) : Then I will drop that.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*) : I think the resolution and both the amendments are before the House.

MR. K. GEORGE (*Chief Secretary to Government*): So, my difficulty is still enhanced.

In analysing, therefore, these are the ideas underlying the resolution. I regret to say that I have to express my emphatic opposition to the resolution as it stands. I will explain the grounds for that opposition.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): ൧൦൫-ലെ ബഡ്ജറ്റുകാലത്ത് ഗവണ്മെന്റ് ഇതിനെ സംബന്ധിച്ച് തന്നിട്ടുള്ള വാഗ്ദാനത്തെ സംബന്ധിച്ച് ഗവണ്മെന്റ് ഒന്നും ചെയ്യാത്തതെന്താണ്?

MR. K. GEORGE (*Chief Secretary to Government*): If I am allowed to speak on the merits of the resolution without interruption then I would be at liberty to give answers to questions.

Sir, as I said, I have to record my emphatic opposition to the resolution as it stands. Firstly, my point is, the resolution is impracticable to work. The member wants Government to advertise vacancies. I presume he refers to permanent and acting vacancies. I suppose there are thousands of officers who take leave for short periods. The idea of advertisement implies delay. Will it not conduce to dislocation of work if we have to advertise for appointments?

Then I would refer to the question of minimum qualification. No doubt certain minimum qualifications are laid down for the guidance of officers in the Travancore Service Regulations. But we must remember that they are *but* minimum qualifications. And no service could regard itself as well equipped if only persons with minimum qualification are uniformly appointed. I would strongly object to a candidate being appointed on minimum qualification for certain departments in particular. Take for instance the Education Department. Here you do not want the member of a particular community with minimum qualification to teach your boys and girls. You want the best talent for educating your children. I would strongly deprecate the idea of appointing members of a particular community to the Education Department on the ground they possess minimum qualification. Surely that is not a criterion for appointment in that department at least.

MR. A. THANU PILLAI (*Trivandrum*): What about the work in the Huzur Secretariat?

MR. K. GEORGE (*Chief Secretary to Government*): There too, from my experience I may say that I would rather have men with talent. In the central offices work suffers if men with high qualifications are not appointed and it would be a great blow to efficiency if we restrict ourselves to minimum qualification.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): What about the Medical Department?

MR. K. GEORGE (*Chief Secretary to Government*): There is a standard fixed and that standard is good enough. A man is appointed as Sub-Assistant Surgeon or Assistant Surgeon with certain professional qualifications which may be considered good enough.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Suppose there is a man with better qualifications?

MR. K. GEORGE (*Chief Secretary to Government*): It is difficult to differentiate like that.

MR. A. THANU PILLAI (*Trivandrum*): What about the recruitment to the Police and the Excise Department?

MR. K. GEORGE (*Chief Secretary to Government*): I concede that service will deteriorate by recruiting men with minimum qualifications in very many departments.

MR. TAMARAPALLIL KOCHUTOMMAN (*Pattanamtitta*): മജിസ്ട്രേട്ടുദ്യോഗത്തിന് എന്തു പരീക്ഷയാണുവേണ്ടതു്. അടുത്തകാലത്തു് ഏഴുപേരെ മജിസ്ട്രേട്ടന്മാരായി റിക്രൂട്ടുചെയ്തല്ലൊ. എന്തു് പരീക്ഷയാണു്?

MR. K. GEORGE (*Chief Secretary to Government*): The member knows it. They must be B. As. Secondly they must have law qualifications, either B. L. or some other law qualifications.

MR. TAMARAPALLIL KOCHUTOMMAN (*Pattanamtitta*): റൂളിനു് വിപരീതമായിട്ടു വല്ലവരേയും നിയമിച്ചിട്ടുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): That is not a question of minimum qualification.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ഹജൂരിൽ അണ്ടർഗ്രാഡുവെററ്സും, ഗ്രാഡുവെററ്സും ഉള്ളതിൽനിന്നു് അണ്ടർഗ്രാഡുവെററ്സിനെ ഗ്രാഡുവെററ്സിന്റെ ഉപരിയായി നിയമിക്കാറില്ലേ?

MR. K. GEORGE (*Chief Secretary to Government*): എഫിഷ്യൻസി ഉണ്ടെങ്കിൽ അങ്ങിനെ നിയമിക്കുന്നതാണു്.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): അവരുടെ മിനിമം ക്വാളിഫിക്കേഷൻ എന്താണു്. അതില്ലെങ്കിൽ എഫിഷ്യൻസി എങ്ങിനെ നോക്കും?

MR. K. GEORGE (*Chief Secretary to Government*): വേലകണ്ടാൽ അതു് നിശ്ചയിക്കാവുന്നതാണു്?

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*); വേലകണ്ടാൽ യോഗ്യതയില്ലെന്നു് വന്നാൽ തിരിച്ചയക്കാൻ അവകാശമില്ലെ?

MR. K. GEORGE (*Chief Secretary to Government*): അങ്ങിനെ കയറിയാൽ കയറിയതു്തന്നെ. കാര്യക്ഷമതനോക്കി കയററം കൊടുക്കുന്ന സ്ഥിതിക്കു് അതില്ലാത്തവരോടു് ആ കാരണവും പറയാം.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): എഡ്യൂക്കേഷൻ ഡിപ്പാർട്ടുമെന്റിൽ മിനിമം ക്വാളിഫിക്കേഷൻ എന്താണു്?

MR. K. GEORGE (*Chief Secretary to Government*): എന്റെ അഭിപ്രായത്തിൽ എഡ്യൂക്കേഷൻ ഡിപ്പാർട്ടുമെന്റിലേക്ക് പ്രത്യേകിച്ച് എത്ര നല്ല പരീക്ഷായോഗ്യതയുള്ളവരെ കിട്ടുമൊ അത്രയും നല്ലതാണ്.

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): ഇപ്പോൾ നടക്കുന്നതു് എങ്ങിനെയാണ്?

MR. K. GEORGE (*Chief Secretary to Government*): ഏറെക്കുറെ മെറിറ്റിന്റെപ്രകാരംതന്നെയാണ്.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): ലാൻഡ്റവന്യുഡിപ്പാർട്ടുമെന്റിൽ എങ്ങിനെയാണ്?

MR. K. GEORGE (*Chief Secretary to Government*): എല്ലാസ്ഥലത്തും ഒരുപോലെയുള്ള മിനിമം ക്വാളിഫിക്കേഷൻ സ്വീകരിക്കുവാൻപാടില്ല.

MR. A. THANU PILLAI (*Trivandrum*): Is it not possible to get efficient men from all communities?

MR. K. GEORGE (*Chief Secretary to Government*): I am not sure, for instance, whether we can get from the depressed classes very efficient men. I mean comparatively.

MR. P. S. MAHOMED (*Nominated*): മിനിമം ക്വാളിഫിക്കേഷൻ തീർച്ചയാക്കീട്ടുള്ള ഏതെങ്കിലും ഡിപ്പാർട്ടുമെന്റുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): There are certain posts for which we can put up with minimum qualifications, although we can get better men. I am not saying therefore that for all posts the only principle to be followed is the principle of competitive examination. I am only pointing that the implication of this resolution is that we should be satisfied with minimum qualifications. That I say is not an acceptable principle.

Then, Sir, I should like to speak of the injustice underlying this resolution. The mover of the resolution asks the Government to decide that for the next five years no appointment should be given to members of communities who are supposed to have adequate representation in public service and that all these five years, systematically, preference should be given to the members of the unrepresented communities, that is, practically excluding for the next five years members of certain communities from service. Well, Sir, I cannot understand how that could be regarded in any way as equitable? The sins of the fathers are not to be visited on the children. (*Hear, hear*). The fathers have eaten sour grapes and the children's teeth are set on edge.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): ഇപ്പോൾ ഉദ്യോഗനിയമനം നടത്തുന്നതു ഉദ്യോഗത്തിലിരിക്കുന്നവരുടെ ചാർച്ചക്കാരെയും സ്വജനങ്ങളെയും ആണെന്നു ഇവിടെ തന്നിട്ടുള്ള പട്ടികയിൽ നിന്നും കാണുന്നില്ലേ?

MR. K. GEORGE (*Chief Secretary to Government*): അങ്ങിനെ കാണുന്നില്ല.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): പട്ടിക തന്നതായ നിയമനാധികാരമുള്ള ഡിപ്പാർട്ടുമെൻറദ്ധ്യക്ഷന്മാർ തങ്ങളുടെ വർഗ്ഗത്തിൽപ്പെട്ടവരെ അധികം നിയമിച്ചിട്ടുള്ളതായി പട്ടികയിൽനിന്നും വ്യക്തമാകുന്നില്ലേ ?

MR. K. GEORGE (*Chief Secretary to Government*): ഞാൻ അതു സൂക്ഷിച്ചില്ല.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അതിനെ ഇനിമേലെങ്കിലും ഒന്നു സൂക്ഷിക്കുമോ ?

MR. K. GEORGE (*Chief Secretary to Government*): അതിനെ മനസ്സിലാക്കിയാൽ സൂക്ഷിക്കാം.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അതിനു പരിഹാരംകൂടി ഉണ്ടാക്കുമോ ?

MR. K. GEORGE (*Chief Secretary to Government*): ഗവമ്മെൻറു എന്തു ചെയ്യുമെന്നു പിന്നെപ്പറയാം.

Now I consider it opposed to all principles of equity. I need not go into the history of this inequality It has come about in the course of several years, and I do not consider that altogether Government was to blame. No doubt, there were certain departments which were excluded and kept under category separate by themselves, but there must have been some other reasons. Certain communities, perhaps, lagged behind in education, and in certain cases they might have preferred other walks of life as more profitable. These and other causes might have contributed to the position as we find it now. That being so, there is no justification for the young men of the present generation being penalised vicariously for no fault of their own.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*); Does the member know that our young men cannot get even clerkship nowadays outside Travancore?

MR. K. GEORGE (*Chief Secretary to Government*): True. Now, in these days of unemployment where are these young men to go if, for five years or even for a year or two whatever be the period, we systematically penalise these young men? Where are these young men to go having no chance in the State? I consider that proposition altogether unjust. Let us imagine what would be the result, suppose we follow the idea underlying the resolution. Young men belonging to these communities will feel absolutely in despair. They have no chance of employment in this country; they have no chance of employment in other countries; they do not know where to turn their attention to eke out their livelihood. What would be the result? I could prophesy a time when seething discontent would be the condition in this country, discontent against Government, discontent against a system of things which makes it impossible for them to earn their livelihood, and then—

MR. V. CHELLAM PILLAI (*Tovala*) : അങ്ങിനെ ഡിസ്കണ്ടെൻറു വരുന്നതു ന്യായമായ റപ്രെസെൻറേഷൻ ഇല്ലാത്ത കമ്മ്യൂണിററിക്കല്ലേ ? ബാക്കിയുള്ളവൎക്കില്ലല്ലോ.

MR. K. GEORGE (*Chief Secretary to Government*): അല്ല. അവൎക്കു റപ്രെസെൻറേഷൻ കൊടുക്കുന്നുണ്ടു്. അതുകൊണ്ടു മററു കമ്മ്യൂണിററിക്കും ഡിസ്കണ്ടെൻറു വരുന്നതാണ്.

Young men do not concern themselves about representation. They concern themselves about their fate.

MR. A. C. KURIAKOSE (*Minachi* cum *Devicolam*) : അസമത്വം അനുഭവിക്കുന്ന എത്രയോ ചെറുപ്പക്കാർ അതുമാതിരി കഷ്ടപ്പെടുന്നുണ്ടെന്നറിയാമോ ?

MR. K. GEORGE (*Chief Secretary to Government*) : Well, there must be a solution for that.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*) : അതിനെ കണ്ടുപിടിക്കാത്തതുകൊണ്ടല്ലേ ഈ വിഷമം വന്നുചേൎന്നതു്.

MR. K. GEORGE (*Chief Secretary to Government*) : I am speaking n the resolution as moved by the member. No doubt I realise that it s an attempt on the solution of a difficult problem. He has enunciated a principle and in pursuance of that principle he has enunciated a method and I am opposed to the method.

Now, Sir, what would be the attitude between communities as a result of this exclusion? I should think that the communities, I mean the present going-to-be-favoured communities will be set against those communities who are supposed to be well represented.

MR. MATTHEW MURIKKAN (*Vaikam*) : Does the learned Chief Secretary therefore maintain that if the present state of things continues there will be no such thing?

MR. K. GEORGE (*Chief Secretary to Government*): There will not be. I admit the necessity for a solution; but say that the result of accepting this resolution as it stands, that is to say, adopting the method suggested would be to intensify the communal bitterness that we often find occasionally bursting out.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*) : Will the learned Chief Secretary suggest an amendment to the resolution?

MR. K. GEORGE (*Chief Secretary to Government*): That is not possible for me.

Now, the last part of it. The injustice will be more manifest and more pronounced in the case of promotions. Now in the Secretariat there are posts on Rs. 100-125 and grades below that, Rs. 75-100 and Rs. 40-70. Suppose there is a vacancy in the 100-125 grade. According to the member's position if out of five men in the grade of Rs. 75-100, the 4 senior men belong to the communities which are supposed to be well represented, the 5th man belonging to unrepresented community should be put over the heads of the other four.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ഏതുപ്രമാണം അനുസരിച്ചാണു മിസ്റ്റർ മാധവനെ ഇപ്പോൾ ദേവികുളം കമ്മീഷണർ ആയി വച്ചിരിക്കുന്നതു്?

MR. K. GEORGE (*Chief Secretary to Government*): I am not prepared to look into the merits of individual cases.

That is the proposition before the House. There can be nothing more ruinous to efficiency, discipline and good feeling if such a proposition is accepted by this House. It will thoroughly demoralise the service and will sap the foundation of efficiency and good administration.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Does he not think that if one Proverthicar is directly recruited there would be discontent among 1,000 accountants.?

MR. K. GEORGE (*Chief Secretary to Government*): There may be. But that question apart, we cannot for a moment imagine the acceptance of a proposition that promotions should be guided by communal considerations. Promotions are essentially, on service and merit given to the men in service.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ഇപ്പോൾ ആ രീതിക്കുതന്നെയാണോ നടക്കുന്നതു്?

MR. K. GEORGE (*Chief Secretary to Government*): Yes, in the matter of promotions it is so

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): സിക്രട്ടേറിയററിലെ ക്ലാർക്കന്മാരെ സ്റ്റേഷനറി മജിസ്ട്രേട്ടന്മാരാക്കുന്നു. അവരെ പിന്നീട് തഹശീൽദാരന്മാരായും ഡിവിഷൻ അസിസ്റ്റൻറന്മാരായും നിയമിക്കുന്നു. അങ്ങിനെയുള്ള ഗ്രേഡ് പ്രമോഷൻ എല്ലാവർഗ്ഗക്കാർക്കും തുല്യമായി കൊടുക്കുന്നു എങ്കിൽ (ഇപ്പോൾ ഒന്നോ രണ്ടോ വർഗ്ഗക്കാർക്കുമാത്രമെ കൊടുക്കുന്നുള്ളു) എല്ലാപേരേയും ഗ്രേഡ്വ്യത്യാസംകൂടാതെ ആക്കാമല്ലൊ. അങ്ങിനെ നടക്കുന്നുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): That is a peculiar case. That is more or less an initial recruitment. I am speaking of grade promotions.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ആറുമാസത്തിനിപ്പുറംതന്നെ എട്ടോ ഒൻപതോ ആളുകളെ പുറമെ അയച്ചു. അവരുടെ ന്യായമായ അവകാശങ്ങളെ പരിഗണിച്ചുള്ള നിയമനംതന്നെയാണോ നടത്തിയതു്?

MR. K. GEORGE (*Chief Secretary to Government*): Yes, I think so.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അസമത്വമനുഭവിക്കുന്ന സമുദായങ്ങളിൽ നിന്നും നേരിട്ടു പാർവത്യക്കാരന്മാരെ നിയമിക്കാത്തകാലത്തോളം അവരിൽനിന്നും നേരിട്ടു പാർവത്യക്കാരന്മാർ ഉണ്ടാകാൻ നിവൃത്തിയുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): I realise the difficulty, but we are moving away from the point at issue.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): എന്റെ ചോദ്യത്തിന്ന ഉത്തരം പറഞ്ഞില്ല.

MR. K. GEORGE (*Chief Secretary to Government*): അതിൽ സങ്കടം ഉണ്ടായിരിക്കും.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അതു നിമിത്തം സങ്കടമുണ്ടെന്ന് വ്യക്തമാകുന്നില്ലേ?

MR. K. GEORGE (*Chief Secretary to Government*): അതെ.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): നാന്നൂറിലധികം പാർവത്യക്കാരന്മാരുള്ളതിൽ ആറുലക്ഷത്തിലധികം ജനസംഖ്യയുള്ള സമുദായത്തിൽ നിന്നും ഇപ്പോൾ ഒരാളെമാത്രം നിയമിച്ചു. ഇങ്ങിനെയായാൽ സമുദായങ്ങൾക്ക സങ്കടമില്ലയൊ? അതുപോലെതന്നെ അക്കൌണ്ടന്മാരുടേയും കഥ.

MR. K. GEORGE (*Chief Secretary to Government*): അങ്ങിനെ ആയിരിക്കാം.

I dont' deny that. As I said we were moving away from the discussion of the resolution as it is. Now these are the chief grounds of my opposition to the resolution as it stands. I do not deny that there is a feeling of grievance, and as I said at the very outset, the mover has brought forward this resolution no doubt on account of a genuine sense of grievance.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): May I know whether the Government propose to redress the grievance?

MR. K. GEORGE *Chief Secretary to Government*): I shall speak a little later as to what the Government propose to do.

Then, Sir, I would just speak a word about the amendment. I refer to the second amendment because the first is practically merged in the resolution itself. This amendment which is moved by Mr. L. R. Raja Raja Varma Koil Tampuran speaks only of the method to be adopted. It contains nothing about principles, and the method suggested is that a staff selection board be appointed to regulate recruitm nts. Well, first of all, the member has not said anything about the constitution, functions and the powers of this board, nor the principles which Government must lay before them for their guidance. There are ever so many things to be decided before a staff selection board is appointed. Further, I have been told and I have read that the staff selection boards appointed elsewhere have not given satisfaction. The very same questions of communal prejudice and partiality and underhand influences all these come even if a staff selection board is appointed. I doubt whether a staff selection board not properly hedged by sufficient safeguards would work at all satisfactorily. But, intrinsically a board of some kind might be a solution to the present difficulty. We can decide on the method of recruitment; after we settle the principles which should uide recruitments. Now, Sir, I would deal with the Government's position in regard to that. As I said Government recognise that this

resolution has been brought forward on account of a genuine sense of grievance. Certain communities have been feeling that the policy of the Government has not been sufficiently well enunciated or insisted on in the matter of their being followed by Heads of Departments The persistence with which this subject comes up again and again before this House, before the Popular Assembly and in the public Press is indicative of the fact of the existence of this sense of grievance. That is certainly recognised. This recognition by Government is not new. Government have taken certain steps also to remedy the position several years ago, and as early as 1915 Government issued a circular to the Heads of Departments to the effect that in the matter of making appointments the claims of unrepresented communities should receive special recognition. It was followed by another circular in 1917 when the instructions were repeated. But the agitation about the subject grew in intensity. Members both in the Legislative Council and the Assembly brought this subject forward again and again and as a result the member in charge of a resolution in 1925 laid down certain guiding principles which Government were following. Those principles were read before the House more than once. Perhaps I would do well to read them again.

(1) No one will be ineligible for admission to the Public Service on the ground that he belongs to a particular community.

(2) Equal opportunities will be given to all communities for admission to the Service.

(3) Other things being equal, preference will be given to unrepresented and poorly represented communities.

(4) It is out of the question to make provision for the representation of every individual community but only of certain well defined unitary groups.

(5) Even in the case of these groups, representation in the Service will be based more on the number of qualified hands available and willing to take up appointments in each group than on its numerical strength.

(6) Communal considerations can prevail only in the case of initial appointments, whether permanent or temporary, and not of promotions.

These principles were expressly stated before the House and as far as possible Government have taken steps to follow them.

MR. A. THANU PILLAI (*Trivandrum*): I wish to know the meaning of the 3rd principle enunciated. 'Other things being equal a member of the least represented community will have preference'. What is the meaning that Government put upon that?

MR. K. GEORGE (*Chief Secretary to Government*): There are ever so many considerations. Efficiency is the primary consideration.

MR. A. THANU PILLAI (*Trivandrum*): Suppose in an office there are altogether 100 clerks and Mahomedans are not represented there and when a vacancy occurs a Mahomedan who belongs to the unrepresented community is appointed And again another vancancy occurs then again the Mahomedan belonging to the least unrepresented community should he be appointed for the 2nd post also?

MR. K. GEORGE (*Chief Secretary to Government*): Government do not contemplate any mathematical precision. What they contemplated was a wide margin of discretion in selecting unrepresented communities the prime consideration being efficiency. It could not be said that for successive vacancies Mahomedans should be appointed there.

MR. A. THANU PILLAI (*Trivandrum*): Am I to take it that it after all means that Government will pay attention to the fact that a particular community is unrepresented?

MR. K. GEORGE (*Chief Secretary to Government*): That will be specially borne in mind in making appointments. It is not a declaration of a principle by which mathematical accuracy would be assured.

MR. TAMARAPALLIL KOCHUTOMMAN (*Pattanamtitta*): ഈ പ്രിൻസിപ്പിളിനെ അടിസ്ഥാനമാക്കിയാണോ ലാൻഡുറവന്യൂ കമ്മീഷണർ ആഫീസിൽനിന്നും ചിലരെ മജിസ്റ്റ്രേട്ടന്മാരായി നിയമിക്കാൻ ശുപാർശ ചെയ്തിരിക്കുന്നതു്?

MR. K. GEORGE (*Chief Secretary to Government*): I must say that I have to decline to answer with regret matters which are personal and individual.

MR. TAMARAPALLIL KOCHUTOMMAN (*Pattanamtitta*): ഏതുതത്വം അനുസരിച്ചാണു് ഈ ഏഴുപേരെ നിയമിച്ചിട്ടുള്ളതും ഇനി നിയമനം നടത്തുവാൻ പോകുന്നതും?

MR. K. GEORGE (*Chief Secretary to Government*): I cannot say what the principle was which guided individual posts.

Then to implement this policy Government have laid down lists of communities which were circulated to Heads of Departments and I believe published in the Gazette. They have also taken steps to see that if returns of appointments are submitted to the Secretariat and that the returns are scrutinised. I am free to say that this machinery has not worked very satisfactorily, and as a matter of fact the grievance of Mr. Kuriakose, Mr. Kunjitomman and others is practically due to the defect of the machinery which the Government organised to see that the policy declared by them is being carried into effect. If that policy had been pursued and steps taken to see that the Heads of Departments are informed from time to time of the failure on their part to carry out the policy, things would have been better and perhaps that would have satisfied Mr. Kuriakose and those who think with him. So, what is necessary really is to strengthen the scrutiny which the Government are having with these returns in the Secretariat. Government would certainly take steps to see that these returns are, received in time, are properly scrutinised and the necessary action taken whenever they find any deviation by Heads of Departments from the principles laid down by Government. Government will also consider in what other ways they could carry out the principles. Certain suggestions have been made in this matter, Mr. Kuriakose has one suggestion. Mr. Raja Raja Varma

Koil Tampuran has another and ever so many other suggestions have been made by other speakers and in the Press. Government will have to consider all these and see what is the most appropriate remedy to be adopted to meet the situation. With these words I oppose the resolution and the amendment as they stand, but accept the principles underlying the resolution, namely, that adequate representation should be given to communities which are now not properly represented in the service.

MR. A. THANU PILLAI (*Trivandrum*): In regard to what Mr. Kunjitomman asked the Chief Secretary was referring to a statement made in this Council in Karkatakam 1104. Has anything further been done or do Government stand where they stood?

MR. K. GEORGE (*Chief Secretary to Government*): The matter is engaging the earnest attention of Government particularly because a resolution has come before the House.

MR. A. THANU PILLAI (*Trivandrum*): I wish to know whether anything definite has taken place?

MR. K. GEORGE (*Chief Secretary to Government*): No.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): ൧൧൦൪-ൽ ഇതിനു് പ്രതിവിധി ഉണ്ടാക്കാമെന്നു് പറഞ്ഞിട്ടില്ലേ?

MR. K. GEORGE (*Chief Secretary to Government*): അങ്ങിനെ പറഞ്ഞില്ല. അനേകവിധമായ സമുദായങ്ങൾ ഉള്ളതിനാൽ അവൎക്കു് കഴിയുന്നതും വേഗം ഒരു സമാധാനമുണ്ടാക്കാമെന്നു് പറഞ്ഞു.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): മുമ്പു് ഒരു ഉപക്ഷേപം കൊണ്ടുവന്ന അവസരത്തിൽ ഇതിനു് പ്രതിവിധി ഉണ്ടാക്കാമെന്നു് പ്രസിഡന്റു പറഞ്ഞിട്ടുണ്ടു്. ഇപ്പോൾ ഒന്നര വൎഷം കഴിഞ്ഞിട്ടും അതിനെപ്പറ്റി ഒരു വ്യവസ്ഥ ഉണ്ടാകാത്തതെന്താണു?

MR. K. GEORGE (*Chief Secretary to Government*): ഇപ്പോഴും അതു ആലോചനാവിഷയമായിരിക്കുകയാണു്.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): എത്രനാളും വേണ്ടിവരും, ഇനിയും ഒന്നരകൊല്ലം വേണമൊ?

MR. K. GEORGE (*Chief Secretary to Government*): ക്ലിപ്തമായ സമയം പറയാൻ നിവൃത്തിയില്ല.

MR. D. C. JOSEPH (*Agastisvaram*): I rise to support Mr. Kuriakose's resolution as amended by Mr. Ittoop Itteechan. I thought the learned Chief Secretary's reply would go a great way to solving the important question which is now engaging the serious and earnest attention of the people of Travancore. But the reply was not convincing to me and therefore I am forced to make some observations upon the resolution.

[Mr. D. C. Joseph.]

Mr. George told us that members on this side of the House were not able to throw any considerable light on this important resolution, and that this matter is already engaging the attention of the Government, now, for some time. By the way that interpellations are tabled in this House year after year, any sane-thinking man will be led to believe that unless the question of communal representation is properly settled, there is no safety for those communities which are not adequately represented in Government service. Any sane-thinking man will also be able to see that without communal representation the stability of the several communities in the State cannot be well maintained.

If matters are allowed to drift on as they are at present, then there will be discord instead of harmony among the several communities of the State; and people will be clamouring for communal representation in season and out of season. Mr. George told us that if this resolution is accepted, and if, as a result, some communities are to be excluded immediately, there will be discord among the various communities now existing in the State. I do not see how there can be any discord. On the other hand, if this resolution is not accepted and if Government do not act up to its recommendations, then, to my mind, there will be discord.

Sir, the backward communities which have been labouring under great disadvantages in the matter of recruitment to public service, had been clamouring for appointments for years past, as a result of which the Land Revenue and the Devaswom Departments were separated. They created a big mountain but they threw a small stone at the minority communities—those communities which were inadequately represented in Government service. The Devaswom Department was separated from the Land Revenue Department and one or two communities are favoured with high appointments. I do not grudge that: I do not say that a Pulaya or a member of another such community should be appointed as a Dewan Peishkar or a Division Assistant immediately. But there must be some principle which should be followed by those who are responsible for the administration of this land of charity.

Now, Sir, what is the principle that is followed? The Chief Secretary would say that if the principle of minimum qualification is accepted, then efficiency would suffer. I challenge that statement. Which community is inferior to another community? Which doctor has examined a member of a particular community and has said that he is superior to a member of another community? The Chief Secretary also said that if a member of the Depressed Classes were to be appointed, then the efficiency of the department in which he is appointed would suffer. I challenge that statement. Who was that Darbar Physician who was appointed in Travancore some years ago? Does he not belong to the Depressed Classes? Therefore that statement of the Chief Secretary falls to the ground.

I do not wish to detain the House much longer except to place before it one or two other points with regard to this question of communal representation. In my opinion unless the lower grades, the subordinate posts, of the various departments of the State are given to the communities now clamouring for communal representation, there can be no salvation for these communities. I will take an example. In the Land Revenue Department there are 409 Proverthicars. Except one or two appointments, all the others are occupied by one or two particular communities. The net result of it all is that the people of the communities who are labouring under serious disadvantages have no room for general advancement.

With regard to the Magistracy, there are 19 Magistrates throughout the whole State. Recently six or seven persons were promoted from the Secretariat or the Land Revenue Department. Do not the persons who are now appointed belong to one or two communities alone? What then about the minority communities? When I say this, I should not be taken to suggest that the claims and rights of other communities should be disregarded. They must be considered but the claims of the minority communities must also be considered.

This in itself is a very trifling matter. I do not care much for whether the Magistrate's post is given to a person from the unrepresented communities or not. It is a very petty appointment. But the secret underlying the recruitment to the Magistracy is that the Magistrate's post is the stepping stone to higher appointments in the Land Revenue Department. It is the Magistrate who is promoted as Tahsildar, it is the Tahsildar who is promoted as Division Assistant, and Peishkar and so on. Therefore when any vacancies occur in the Magistrate's grade, they are given to members of one or two communities, so that they ultimately become Peishkars, etc. The result is that there is real heartburning among the various communities of the State.

Another aspect of the matter that I wish to refer to is that when caste-war statements of appointments are asked by members of this House, the Government and the Heads of Departments simply place on the table of the House some statement without caring to mend matters or to rectify the errors and without seeing that at least some consideration is shown to those communities which are not properly represented in Government service. The people of the State are clamouring for communal representation. I do not think that this clamour which is growing year after year is going to cease. As the Chief Secretary anticipated, there will be a time when there will be discord between the several communities of the State. And unless Government accept this principle, there will be no salvation for Travancore.

We are fighting for political privileges and other such privileges. And unless we come to realise the difficulties experienced by ill favoured or ill-represented communities, members of which are not able to go up in the chain—the strength of the chain is measured by the strength of each link composing it—and unless these communities are protected, our political salvation or rather advancement will be retarded.

[Mr. D. C. Joseph.]

The reply given by the Chief Secretary is not convincing, because Government do not seem to view these matters seriously. They simply tell us that the question will engage and is engaging the serious attention of the Government. At the last Session of the Sri Mulam Popular Assembly, several members represented the necessity for a settlement of this problem and I would like to read to you the reply given by Mr. V. S. Subrahmanya Aiyar to these representations:

> "You have each on behalf of his own community represented that members of the community to which you belong are not adequately represented in the public service. It will not be very difficult to show that some of the pictures of the present condition of things given in those representations are overdrawn and that some of the demands made in the representations are extravagant. But it cannot be denied that underlying them all is a feeling of dissatisfaction with the existing state of affairs. Mainly on account of historical reasons the members of some communities could not till recently muster the qualifications necessary for admission into the public service. Within the last 25 years or so, however special facilities for educational advance have been afforded, and members of those communities with the necessary educational qualifications have been coming forward in larger and larger numbers as applicants for employment in Government service. They claim some preferential treatment on account of the circumstance that they have entered the field late. The Government have also felt that they should for some time be recruited more liberally to the service, of course, without detriment to efficiency, and have issued orders to heads of departments to give effect to that view. The main complaint that you have voiced here is that these orders are not being carried out in the spirit that prompted their issue, and you have pointed out that the orders on this subject must be made more definite. The Government have taken the matter for earnest consideration and hope to devise some means of removing the complaint and making the rules definite enough for easy application."

This utterance was made by the Dewan about a year ago. The Dewan then said that the Government have taken up the matter for earnest consideration and hoped to devise some means of removing the complaints and making the rules more definite. But nothing appears to have been done till now. I hope Government will consider the matter seriously and devise proper arrangements to remove the complaints of ill-represented communities. Of course, there may be difficulties in working out the details. But it is the duty of Government to introduce proper arrangements so as to satisfy all the aspirants and the minority communities which are labouring under serious difficulties, and rectify matters immediately, thus solving the problem in a proper way. With these words, I support Mr. A. C. Kuriakose's resolution as amended by Mr. Ittoop Itteechan.

MR. D. FRANCIS (*Nominated*): I rise to support the resolution of Mr. A. C. Kuriakose as amended by Mr. Ittoop Itteechan. Unrepresented communities have not been sufficiently encouraged in the State service. The majority of the people in Travancore belong to unrepresented communities in State Service. When there are several applicants for the same appointment, preference must be given to the members of unrepresented communities on the basis of their population.

Now, Sir, the Latin Christians have not been sufficiently encouraged in regard to appointments in the State service when considering the strength of their population. They form one-third of the total population of Christians and one-twelth of the total population of the State. According to the last Census Report, out of 33 recognised communities in the State, Latin Christians stand third in the order of population being next only to Nayars and Ezhavas. Yet, they have absolutely no representation in some of the departments inspite of their larger number in population than the 3 other communities. Therefore I say that the claims of the Latin Christian community must be duly considered and special encouragement and preference must be given to the members of that community as a special case in the matter of appointments, to raise their position, as their claims have been sadly overlooked in the past. With these words, I strongly support the resolution of Mr. Kuriakose as amended by Mr. Ittoop Itteechan.

MR. A. THANU PILLAI (*Trivandrum*): Sir, I also wish to speak a few words on this resolution. I do not propose to go into any very great detail into the merits of the question, because the question has been discussed over and over again in this House. I do not think that any problem has been discussed in this House so much and so often as this question of communal representation in the service. There is no advantage in merely taking the view that after all so far as Government service is concerned, communal representation has no place. We must face facts as they are and we must look at this problem from the standpoint of expediency. Many communities as communities clamour that their representatives do not get sufficient encouragement in the public service. There is no denying that fact. I would also submit for the consideration of Government that it is not only the claims of those communities who make the loudest noise which should engage the attention of Government. There are other communities which are not in a position to make themselves sufficiently heard. The attention of the Government should be drawn to the case of these communities as well.

Now, Sir, that is a matter of detail. What I wish to impress upon the Government at present is the necessity of really trying to tackle the problem as has been pointed out a few minutes ago. In the Budget Session of 1104 the Head of the Administration definitely promised us that Government would look into the matter and solve the question and if necessary they would also invite the co-operation of non-officials. Sir, I want to know from the Chief Secretary whether anything has been done in pursuance to that promise. So far as we are able to gather, absolutely nothing has been done; we have heard to-day that the question has been engaging the attention of the Government. I do not know whether this method of reply is a habit with all other Governments also, but at any rate, so far as our Government are concerned, that has become a habit and I must submit in all humility a very bad habit.

It has been pointed out here that this question has been giving occasion for a good deal of communal irritation and all manner of

[Mr. A. Thanu Pillai]

undesirable happenings. Therefore let us try to solve this problem all at once. I cannot see eye to eye with everything that has been said on the floor of this House to-day. For instance, the mover wants the whole thing to be based upon members. I cannot accede to that proposition. To me it seems that other factors also would have to be taken into account in solving this problem. It is not merely a question of numbers or population. I concede that population must play a large part in this, but at any rate there are other factors also to be taken into account. I have been again and again urging upon the Government to go into the question either themselves and then place their proposals for the consideration of this House, so that they might not afterwards be taken to task for doing things in their own way and unsatisfactorily or in the alternative I have been asking them to appoint a committee composed of some of their experienced officers who have had experience in the matter and some non-officials, who know the condition of things in the country. That committee will have to go into the whole matter very carefully. All the aspects of the question will have to be considered and threshed out. How communities can be divided, the basis on which distribution should be made, whether the question of efficiency alone should be considered or whether other factors should also be considered—unless these questions are really considered and decisions arrived at, there is no solving this problem.

To me it appears that the Government do not really want to solve this problem, I do not know what advatage they gain in putting off in this manner the consideration of this question. Probably when any occassion arises, an officer or the Government may be able somehow to help or make others believe that he is helping one particular community. Else I do not see any advantage in putting off the consideration of this question. I think that a definite step in this direction cannot be taken by one officer of the Government or the Government alone and therefore I suggest the appointment of a committee immediately to go into the question. Let the proposals of the committee be disposed of. This question has taken a very undesirable shape in our Council discussions. Everybody would like to see this question solved at the earliest opportunity and the subject thus eschewed from the discussions of this House.

Several other points were referred to to-day in the course of the discussion, as to initial appointments and transfers and other matters. I do not agree with all that the Chief Secretary said. He said that if a clerk is promoted as a Magistrate, it should be considered as a fresh appointment, although he did not fully admit that it is a fresh appointment. Probably out of expediency, that interpretation has to be put upon that course of action. It is probably a way of trying to get out of a difficulty. Now these questions can be satisfactorily solved by the appointment of a committee.

Then there is the question of recruitment to special services. The Chief Secretary referred to to the Departments of Education and Police and said that recruitments to these departments have to be specially

made. In my view, examination is not the sole criterion for appointment in public service. There are other things than examination qualifications. As an instance I may say that a Police Officer or an Excise Officer must have, besides examination qualifications, physical fitness to attend to his executive work. There is also resourcefulness to be taken into consideration which could not be easily decided by the number of marks a person scores in an examination. This resourcefulness in a man will have to be ascertained by questioning him personally and seeing what kind of man he is.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Nedumangad*): Is not resourcefulness to be a deciding factor in case of both initial recruitments and promotions?

MR. A. THANU PILLAI (*Trivandrum*): Yes, in the case of the Police officer it is not the man who got a First Class in the examination who will make a good Police officer. He might have got a number of marks in the examination, but that only shows that he is a good reader of books. He must have physical fitness and resourcefulness.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ഒന്നരണ്ടുവർഷങ്ങൾക്കുമുമ്പ് ഏഴു പോലീസ് ഇൻസ്പെക്ടറന്മാരെ നിയമിച്ചതു് ഈ തത്വത്തെ ആസ്പദമാക്കിയാണോ?

MR. A. THANU PILLAI (*Trivandrum*): അവരെ നിയമിച്ചവരോടു ചോദിച്ചാൽ ഏതിനെ അടിസ്ഥാനപ്പെടുത്തിയാണെന്നറിയാം.

MR. P. S. MAHOMED (*Nominated*): ഇതൊക്കെ എങ്ങനെയാണു് നിശ്ചയിക്കുന്നതു്?

MR. A. THANU PILLAI (*Trivandrum*): അതു് നിശ്ചയിക്കുന്നവർക്കു് അറിയാൻപാടുള്ളൂ.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): ശരിയായിനിശ്ചയിക്കുന്നതു് ആരാണു്?

MR. A. THANU PILLAI (*Trivandrum*): ശരിയായി നിശ്ചയിക്കുന്നതു് ഡാക്ടറാണു്.

I would go even to the length of saying that Government should issue instructions.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): പ്രത്യേകം യോഗ്യതയുള്ള ആ ഉദ്യോഗത്തിനു് വേണ്ടസകലയോഗ്യതകളും ഉള്ള അസമത്വ സമുദായക്കാർ അപേക്ഷിച്ചാൽ കൊടുക്കാതിരിക്കുന്നു എങ്കിൽ അതു് അന്യായമല്ലേ?

MR. A. THANU PILLAI (*Trivandrum*): അങ്ങനെ അപേക്ഷകൊടുക്കുമ്പോൾ അതിൽ കുറഞ്ഞ യോഗ്യതയുള്ളവരെ നിയമിക്കുന്നു എങ്കിൽ അതു് അനീതി ആണല്ലോ!

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): ൫൦൭ പാസ്സുകാരന്മാരുള്ളവരിൽ ൧൦ പേരെപോലും അസമത്വം അനുഭവിക്കുന്ന സമുദായക്കാരിൽനിന്നും നിയമിച്ചില്ല എന്നറിയാമോ?

MR. A. THANU PILLAI (*Trivandrum*): അതു് മി. റാബിൻസനോട് ചോദിക്കണം.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): ശരിയായ യോഗ്യതയുള്ളവരുടെ അവകാശത്തെ അവഗണിച്ചു് നിയമനം നടത്തിയാൽ അവർക്ക് പരിഹാരം കിട്ടുന്നതെങ്ങനെ?

MR. A. THANU PILLAI (*Trivandrum*): അതാണ് വിഷമം. പല തരത്തിലുള്ള സമുദായങ്ങളിൽ നിന്നും ഏതു സമുദായത്തിനാണ് കൊടുക്കേണ്ടതെന്ന് എങ്ങനെ നിശ്ചയിക്കും?

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Nedumangad*): Should not the claims of men in the service be taken into account in filling up vacancies?

MR. A. THANU PILLAI (*Trivandrum*): Yes, certainly.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Nedumangad*): Is it a small matter?

MR. A. THANU PILLAI (*Trivandrum*): It is not. At the same time if there are other considerations which are equally weighty, they should also be taken into account.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അസമത്വം അനുഭവിക്കുന്ന സമുദായങ്ങളുടെ അവകാശത്തെ അവഗണിച്ചു് മററു സമുദായങ്ങളിൽനിന്നും ഉദ്യോഗനിയമനം നടത്തുന്ന ഉദ്യോഗസ്ഥന്മാരെ കർശനമായി ശിക്ഷിക്കുന്നു എങ്കിൽ ആ ശിക്ഷയിൽനിന്നും ഒഴിഞ്ഞു നില്ക്കാൻ എത്ര ഉദ്യോഗസ്ഥന്മാർക്ക് സാധിക്കും?

MR. A. THANU PILLAI (*Trivandrum*): എന്തു് പ്രവർത്തിച്ചാലും കുററക്കാരാക്കുകയെ ഉള്ളൂ. മററു യോഗ്യതകൾ തുല്യമാണെങ്കിൽ ഏററവും കുറഞ്ഞ അംഗങ്ങളുള്ള സമുദായത്തിലെ അപേക്ഷകനെ നിയമിക്കാമോ എന്ന് ചോദ്യം ചീഫ്സെക്രട്ടറിയോടുകൂടി ചോദിച്ചപ്പോൾ സമാധാനം പറഞ്ഞില്ല. അങ്ങനെയൊന്നും കരുതീട്ടില്ല. ഒരു കണക്കും വച്ചിട്ടില്ല. നിശ്ചയവും ക്ലിപ്തവുമില്ലാതിരുന്നാൽ കുററപ്പെടുത്തുവാൻ പ്രയാസമാണ്.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): വർഗ്ഗീയപ്രാതിനിധ്യപ്രമേയത്തിന്റെ ആരംഭകാലത്തു് ഗവൺമെന്റു തന്നിട്ടുള്ള വാഗ്ദാനത്തിൽനിന്നും ഗവൺമെന്റ് കുറെക്കൂടി പിന്നോക്കം പോയിഎന്ന് മനസ്സിലാകുന്നില്ലേ?

MR. A. THANU PILLAI (*Trivandrum*) : എന്തെല്ലാംവാദങ്ങൾതന്നാലും അതിനൊരു ക്ലിപ്തമില്ലാത്തതുകൊണ്ട് അതിനെ ക്ലിപ്തപ്പെടുത്തണം.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): ൧൧൦൮-ൽ ഗവണ്മെൻറു ഇതിനെപ്പററി പറഞ്ഞിട്ടുള്ള മറുപടി മെംബർ വായിച്ചിട്ടുണ്ടോ?

MR. A. THANU PILLAI (*Trivandrum*) : ഞാൻ ഓർമ്മിക്കുന്നില്ല. ഈ സംഗതിയിൽ ഗവണ്മെൻറ് ഒരു ക്ലിപ്തമായ വ്യവസ്ഥ ചെയ്യുന്നില്ല.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): എല്ലാസമുദായങ്ങളിൽനിന്നും ആവശ്യമുള്ള യോഗ്യതകൾ ഉള്ള——

MR. A. THANU PILLAI (*Trivandrum*): I am being questioned in Malayalam by English-speaking members also.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): May I know from the member whether he takes any objection to appointments being given to individuals of communities, who have got the necessary qualifications?

MR. A. THANU PILLAI (*Trivandrum*): I have got absolutely no objection. I want to see that every man is fairly dealt with and that no man is unfairly dealt with.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Nedumangad*): Is it possible for every man to get appointed in the Public Service?

MR, A. THANU PILLAI (*Trivandrum*): If it were in the power of Government to employ every one I would be glad.

MR. P. S. MAHOMED (*Nominated*) : അതുപോലെ പ്രവൃത്തികൂടി വേണ്ടെ?

MR. A. THANU PILLA (*Trivandrum*) . ചോദ്യം കേട്ടാൽ ഞാനാണ് ഇതൊക്കെ ചെയ്യുന്നതെന്നു തോന്നും.

MR. P. S. MAHOMED (*Nominated*): പറഞ്ഞാൽ അതു മാതിരി പ്രവൎത്തികൂടി വേണ്ടെ?

MR. A. THANU PILLAI (*Trivandrum*): പറഞ്ഞാൽ അതനുസരിച്ചു പ്രവൎത്തിക്കേണ്ടതാണ്. എന്നാൽ ഞാൻ ആദ്യംപറഞ്ഞതുകൂടി നോക്കേണ്ടിവരും.

So, sir under these circumstances, I very strongly recommend the appointment of a committee forthwith to go into the whole question. It must be a committee which will command the confidence of all the communities. A representative committee composed of the best of our officers and representatives from the leading communities. Minor interests also should be safeguarded. It is a difficult matter, I admit but that question has got to be solved somehow and therefore every step should be taken. With these words I resume my seat. As for the resolution before the House, having in view the several difficulties pointed out by the Chief Secretary in his speech, I cannot see any way to support it.

PRESIDENT : മിസ്റ്റർ കുര്യാക്കോസ്, നിങ്ങൾക്ക് എന്തെങ്കിലും പറവാനുണ്ടോ?

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*) : ഇവിടെ രണ്ടു് അമൻഡുമെൻറു് ഇരിക്കുന്നുണ്ടു്; അതുകൊണ്ടു് അമൻഡുമെൻറുകൊണ്ടുവന്നവർ ആദ്യം സംസാരിക്കണൊ, അതല്ല ഞാൻ പറഞ്ഞാൽമതിയൊ?

PRESIDENT : The resolution and both the amendments have to be considered. The second amendment may first be taken up and then Mr. Raja Raja Varma Koil Tampuran may offer his remarks by way of reply.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*) : റസല്യൂഷനിൽ വ്യക്തമായി കാണിച്ചിട്ടുള്ള ഭാഗം ഒഴിച്ചു മററുഭാഗങ്ങളെ കൂടുതൽ വ്യാഖ്യാനിച്ചു പറയേണ്ട ആവശ്യമുണ്ടെന്നു തോന്നുന്നില്ല. ഈ ഭാഗത്തുനിന്നും, അതായതു് അഫിഷ്യൽ സൈഡ് അല്ലാതെയുള്ളവർ, ഭേദഗതിയെപ്പററികൊണ്ടുവന്നിട്ടുള്ള വാദങ്ങളിൽ പ്രധാനമായി സമുദായപ്രാതിനിധ്യത്തിനു എഫിഷ്യൻസി വേണമെന്നു പറയുന്നതു സാധാരണവാദത്തിൻെറ ഒരു റെപ്പററിഷൻമാത്രമാണു്. അതിനെസംബന്ധിച്ചു വലിയ വിമർശനം ചെയ്യേണ്ട ആവശ്യവുമില്ല. എഫിഷ്യൻസി ഏററവും പ്രധാനപ്പെട്ടതല്ലെന്നു ഞാൻ വിചാരിക്കുന്നില്ല.

MR. P. S. MAHOMED (*Nominated*): എഫിഷ്യൻസി പാടില്ലാ എന്നു പറഞ്ഞുവല്ലൊ?

MR. L R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*) : അതു് മിസ്റ്റർ പാച്ചുപിള്ള വ്യക്തമാക്കിയിട്ടുണ്ടു്. ആദ്യം സമുദായപ്രാതിനിധ്യം കരുതണമെന്നു പറഞ്ഞിട്ടുള്ള സമുദായങ്ങൾകൂടി എഫിഷ്യൻസി വേണമെന്നു പറഞ്ഞിട്ടുണ്ടു്. അതുകൊണ്ടു് എഫിഷ്യൻസിവേണ്ട എന്നു പറയുന്നില്ല. മിനിമം പരീക്ഷവേണമെന്നു പറഞ്ഞു. ചീഫ് സിക്രട്ടറിയോടു മിനിമം പരീക്ഷ ഇല്ലാത്തവർ മതിയൊ എന്നു ചോദിച്ചതിൽചിലർ പുറകോട്ടു പോകുമെന്നു പറഞ്ഞു. മിനിമം പരീക്ഷ ഉള്ളവൻെറ പിന്നീടു ഒരു മിനിമം പരീക്ഷക്കാരൻ വരുമ്പോൾ അയാൾ ആദ്യത്തേവൻെറ താഴെയാകും. അതിൽ പിന്നീടു വരുന്നവൻ അതിലും പുറകോട്ടു പോകും. ഇങ്ങിനെയല്ല വേണ്ടതു്.

MR. P. S. MAHOMED (*Nominated*) : ഒരു ഡിപ്പാർട്ടുമെൻറിൽ ൫൦ ഗ്രാഡ്വെററുണ്ടെങ്കിൽ, ൨൫ രൂപായ്ക്കു കീഴ്പ്പോട്ടുള്ള ഈ ൫൦ പേർക്കും മററുള്ളവരുടെ അവകാശത്തെ മാററിവച്ചിട്ടു കൊടുക്കണമെന്നാണു പറയുന്നതു്.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*) : വിദ്യാഭ്യാസം വേണ്ടതല്ലെന്നു വിചാരിക്കാൻ ഞാൻ തയ്യാറില്ല. വളരെ പണം ചിലവാക്കി ഉപജീവനത്തിനു മാർഗ്ഗമായി തീരുമെന്നു കരുതി പ്രവർത്തിക്കാൻ വന്നിട്ടുള്ള ആളുകളെ നിരാശപ്പെടുത്തണമെന്നു ഞാൻ പറയുന്നില്ല.

MR. P. S. MAHOMED (*Nominated*) : അസമത്വം അനുഭവിക്കുന്ന ആളുകളിൽ വ ൭ പേരുടെ കീഴിലിരുന്നവരെ മുന്നിൽ കൊണ്ടു വന്നിട്ടുണ്ട് എന്നു അറിയാമൊ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*) : ഉദ്യോഗദാനവിഷയത്തിൽ അവരെ എല്ലാ വിധത്തിലും സഹായിക്കണം. സമുദായപ്രാതിനിധ്യം മാത്രം കൊണ്ടല്ല. ഒരു കാലത്തു ചിലരെ മാററിനിർത്തി അവരെ അമർത്തിവച്ച് ശരിയായ സമുദായസംരക്ഷണത്തിനുപോലും അനുവദിക്കാതിരുന്നു. അതിനാൽ ഇപ്പോൾ അവർക്കു ജീവിക്കാനുള്ള സകലപ്രോത്സാഹനങ്ങളും കൊടുക്കേണ്ടതു് അത്യാവശ്യമാണ്. അതില്ലാത്ത സമുദായങ്ങളെ എല്ലാം അതിൽ വരുത്തിയിട്ടുണ്ട്. റവന്യൂ ഡിപ്പാർട്ടുമെൻറാഴികെ... ...

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*) ; അങ്ങിനെ വരുത്തിയിട്ടുള്ള സമുദായങ്ങൾ ഏതെല്ലാമെന്നു പറയാമൊ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*) : റവന്യൂ ഡിപ്പാർട്ടുമെൻറാഴികെ വേറെ ഡിപ്പാർട്ടുമെൻറുകളിൽ പ്രവേശനത്തിനു യാതൊരുതടസ്സവുമില്ലാതിരുന്ന മറെറല്ലാകമ്മ്യൂണിററിയിലെ ആളുകളും ഇപ്പോഴത്തെ റസല്യൂഷനിൽ ഉൾപ്പെടുന്നു. എന്നാൽ ഈഴവർ, അധഃകൃതർ എന്നു പറയപ്പെടുന്ന പറയർ പുലയർ തുടങ്ങിയ പല സമുദായങ്ങൾക്കും വിദ്യാഭ്യാസത്തിനു അശേഷം സൗകര്യം കൊടുത്തിട്ടില്ല. ഉന്നതജാതിക്കാരെന്നു പറയപ്പെടുന്ന ഹിന്ദുക്കളെ സമീപിക്കാൻകൂടി സമ്മതിക്കാതെ പല വിധത്തിലും ഉപദ്രവം ചെയ്യുതിനാൽ അവർക്കു പ്രോത്സാഹനം ഗവൺമെൻറു വേണ്ടുവോളം കൊടുക്കേണ്ടതാണ്.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അവരുടെ അപേക്ഷ ഉള്ളപ്പോൾ അവർക്കു പ്രാധാന്യം കൊടുക്കരുതൊ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*). ഈഴവർ പറയർ തുടങ്ങിയവർക്കു പ്രവേശനം ഇല്ലാതിരുന്നതിനാൽ പരീക്ഷയോഗ്യതസമ്പാദിക്കാൻ സാധിച്ചില്ല. അതുകൊണ്ടു് അവർക്കു പ്രധാനമായി കൊടുക്കണം.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): ഇപ്പോഴത്തെ പ്രമേയത്തിൽ അതുകൂടിയില്ലേ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): അതു ഭിന്നാഭിപ്രായമാണ്.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): അമൻഡുമെൻറു ഈ അഭിപ്രായത്തിനു യോജിക്കുന്നുവൊ, ഇല്ലയൊ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): പൂർണ്ണമായി യോജിക്കുന്നു. അമൻഡുമെൻറിനെ അതനുസരിച്ചു പാസാക്കണമെന്നേ ഉള്ളൂ. കമ്മ്യൂണൽ റപ്രസൻേറഷൻ ഉദ്യോഗ നിയമനത്തിൽ സാധ്യകരിക്കാവുന്നതല്ല. അതു കൺസിഡറേഷൻ അർഹിക്കുന്നുമില്ല. ഒരഭിപ്രായം പറയാനുണ്ട്. അതു ഭിന്നാഭിപ്രായമാണ്. അതു പാസായാലും ഇല്ലെങ്കിലും അഭിപ്രായം പറയാം. പ്രമേയത്തിനു ഭേദഗതി കൊണ്ടുവന്നു. മിസ്റ്റർ പാച്ചുപിള്ള പറഞ്ഞ കമ്മ്യൂണൽ റപ്രസൻേറഷൻ ആദ്യം ഗണിക്കണം. കൂടുതൽ യോഗ്യതയുള്ളവരെ തിരിഞ്ഞു നിയമിക്കണമെന്നുപറഞ്ഞു. അങ്ങിനെയല്ല വേണ്ടതു്, ആദ്യം എഫിഷ്യൻസിനോക്കണം പരീക്ഷയോഗ്യതമാത്രമല്ല എന്നു പറഞ്ഞു. ആ തത്വത്തോടു യോജിക്കാൻ ഞാൻ തയ്യാറില്ല.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): ഒരുത്തർക്കും നിശ്ചയിക്കാൻ സാധിക്കാത്തതിനെ ഒന്നാമതു ഗണിക്കണമെന്നു പറഞ്ഞാൽ എങ്ങിനെയാണ്; സാധ്യമല്ലാത്തതു പരിഗണിക്കപ്പെടുന്നതെങ്ങിനെ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): സാധിക്കുകയില്ല എന്നു പറഞ്ഞില്ല. എന്നാൽ മാത്തമാററിക്കൽ കാൽകുലേഷൻ സാധിക്കുകയില്ല. ഒരു തത്വത്തെ മുൻനിർത്തി പ്രവർത്തിക്കാമെന്നു ഒരു നയം ഗവൺമെൻറു അംഗീകരിച്ചിട്ടുണ്ട്. സാമാന്യമായ തത്വമനുസരിച്ചുള്ള പ്രവർത്തിക്കു യാതൊരു വിരോധവുമില്ല. ഈ കണക്കനുസരിച്ചു എഫിഷ്യൻസി എങ്ങിനെ വരുമെന്ന് അറിഞ്ഞുകൂടാ. ആരെങ്കിലും പറഞ്ഞുതന്നാൽ കൊള്ളാം.

MR. MATTHEW MURIKKAN (*Vaikam*); കമ്മ്യൂണൽറപ്രസൻേറഷൻപാടില്ലെന്നാണൊ അഭിപ്രായപ്പെടുന്നതു്? Sir, I rise to a point of order. I doubt whether the member is competent to speak on this resolution because it was definitely ruled yesterday that observations which have the effect of negativing the resolution are out of order. The member's present speech completely negatives the object of the resolution. Therefore, my fear is whether he is competent to speak on this resolution.

PRESIDENT: Probably it is by way of an answer to a question that has been put to him that he is now saying all this. I do not think it is anything more than that. Probably, he has been drawn out, off the track, by the severe examination that he has been subjected to.

Mr Raja Raja Varma, you will please confine yourself to your amendment to the resolution, and make observations relevant to that.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Chenganachery* cum *Peermade*): അമെൻഡുമെൻറിൽ ഉള്ളതു മാത്രമേ പറഞ്ഞിട്ടുള്ളൂ.

രണ്ടാമത്, സ്റ്റാഫ്സിലക്ഷൻ ബോർഡിനെപ്പററി പറഞ്ഞിട്ടുള്ളതു അപൂർണ്ണമാണെന്നും വേണ്ട വ്യാഖ്യാനം കൊടുത്തിട്ടില്ലെന്നുമാണ്. ഗവമ്മെൻറ ൧൧൦൪-മുതൽ വളരെ ഗാഢമായി ആലോചിച്ചിട്ടും സകലസാധന സൌകര്യങ്ങളും ഉണ്ടായിരുന്നിട്ടും ഇതുവരെ അതിനു ഒരു സൊല്യൂഷൻ കണ്ടു പിടിക്കാൻ സാധിക്കാത്ത ഒരു സംഗതിയെപ്പററി ഒരു മെംബർ സജസ്റ്റ് ചെയ്തതു അപൂർണ്ണമായിപ്പോയി എങ്കിൽ അതിനെ ക്ഷമിക്കുമെന്നു ഞാൻ വിശ്വസിക്കുന്നു. സ്റ്റാഫ്സിലക്ഷൻ ബോർഡിനെ ഗവമ്മെൻറംഗീകരിക്കുന്ന പക്ഷം അതു അവർക്കു ചെയ്വാൻപാടില്ലാത്ത ഒന്നല്ല. വേണ്ട മാററങ്ങൾ വരുത്തി വർക്കിംഗ് ആർഡറിൽ വരുത്താവുന്നതാണെന്നാണ് എൻെറ വിശ്വാസം. അതു പൂർണ്ണമല്ലെന്നു സമ്മതിക്കുന്നു. എന്നാൽ ഗവമ്മെൻറിനു ഈ സജഷനെ വച്ചുകൊണ്ടു ചിലതൊക്കെ പ്രവർത്തിക്കാം. അപൂർണ്ണതയുണ്ടെങ്കിൽ ഗവമ്മെൻറു മെംബറന്മാരും അല്ലാത്തവരും ചേർന്നു വേണ്ട വ്യവസ്ഥകൾ ചെയ്യുന്നതിനു ധാരാളം സാധിക്കുന്നതാണ്. മദ്രാസ് ഗവമ്മെൻറും വേറെ ഗവമ്മെൻറുകളും അതു ചെയ്തു. നമ്മുടെ ഗവമ്മെൻറിനും സാധിക്കുന്നതാണ്. ബോർഡ് നിയമിക്കുകയാണെങ്കിൽ അതു കൊണ്ടു പലതും സാധിക്കും. അതിൽ പ്രത്യേകമായി ഒന്നും സജസ്റ്റ് ചെയ്തിട്ടില്ല. സ്റ്റാഫ്സിലക്ഷൻ ബോർഡിനെ നിശ്ചയിച്ചിട്ടു അതിനെ ഒരു കമ്മിററിയിലേക്കു അയച്ചു. ആ കമ്മിററി അതിനെ പര്യാലോചിച്ചു എന്താണ് നിവൃത്തിമാർഗ്ഗമെന്നു നിർദ്ദേശിക്കുന്നതായാൽ അതിനോടു പൂർണ്ണമായി യോജിക്കാവുന്നതാണ്. ഇതേ അർത്ഥത്തിലാണു ഭേദഗതി കൊണ്ടുവന്നതു്. ഇതാണ് എൻെറയഥാർത്ഥമായ അഭിപ്രായം. അങ്ങിനെയുള്ള ഭേദഗതിയെ ഒരു പ്രമേയമായി കൊണ്ടുവരാൻ നിർവാഹമില്ലാത്തതു കൊണ്ടു് ഈ ഭേദഗതി കൊണ്ടു വന്നതാണ്. യഥാർത്ഥമായ അഭിപ്രായം ഒരു കമ്മിററിയെ രൂപീകരിക്കണമെന്നുള്ളതാണ്. റസല്യൂഷൻ വോട്ടിനിട്ടാൽ അമൻറുമെൻറിനെ പിൻവലിക്കാൻ സാധിക്കുകയില്ല.

PRESIDENT: You have exceeded your time, Mr. Raja Raja Varma. I shall allow you two or three minutes more.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): No, Sir, I am closing. ഇത്രയും പറഞ്ഞു കൊണ്ടു എന്റെ ഭേദഗതിയെ അവതരിപ്പിച്ചു കൊള്ളുന്നു.

PRESIDENT: As there are the resolution, and also the amendment thereto, I would follow the rules and call upon Mr. Ittoop Itteechan to say what he has to say by way of reply, although the mover of the resolution and the seconder have accepted the amendment. Mr. Itteechan has not withdrawn his amendment; and so, the usual procedure will have to be followed, and Mr. Itteechan allowed the right to reply.

MR. ITTOOP ITTEECHAN (*Kunnatnad*): മി. രാജ രാജ വർമ്മതമ്പുരാന്റെ ഭേദഗതിക്കും റസല്യൂഷനും യാതൊരു ബന്ധവുമില്ല. എന്റെ ഭേദഗതി പ്രമേയത്തോട് ഏതാനും യോജിക്കുകയും റസല്യൂഷൻ കൊണ്ടു മററു ചില സമുദായങ്ങൾക്കു വല്ലസങ്കടവും ഉണ്ടെങ്കിൽ ആ ഭാഗവും കൂടി പരിഹരിക്കത്തക്ക വിധത്തിലുമുള്ളതാണ്, ഇങ്ങിനെ പലതുകൊണ്ടും എന്റെ ഭേദഗതിയും മിസ്റ്റർ കുര്യാക്കോസിന്റെ റസല്യൂഷനും തമ്മിൽ ഒരേ തരത്തിൽ യോജിച്ചിരിക്കുന്നുണ്ട്. അതിനെ പ്രമേയ പ്രയോക്താവ് അംഗീകരിക്കുകയും ചെയ്യുന്നു. ആ സ്ഥിതിക്ക് എന്റെ ഭേദഗതി ഏററവും പ്രാധാന്യമുള്ളതാണെന്ന് ഈ സഭമുമ്പാകെ പറഞ്ഞു കൊള്ളുന്നു. ഈ ഭേദഗതിയെ സഭ സ്വീകരിച്ചു കഴിഞ്ഞിട്ടു പിന്നീട് അതിനെ സംബന്ധിച്ച് എനിക്ക് അല്പം പറയാനുണ്ട്.

PRESIDENT: Mr. Kuriakose will now make such remarks as he considers proper.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): എന്റെ പ്രമേയത്തെപ്പററി മറുപടി പറയണം എന്നു പറഞ്ഞപ്പോൾ അമെൻറുമെൻറിനെപ്പററിയുള്ള ഒരു തീർച്ചവന്നതിനു ശേഷം പറയാമെന്നായിരുന്നു ഞാൻ വിചാരിച്ചിരുന്നതു്. എന്റെ പ്രമേയത്തെപ്പററി വളരെ വിസ്താരമായി പല മാന്യസ്നേഹിതന്മാരും അഭിപ്രായപ്പെട്ടതുകൊണ്ട് അതിൽ അന്തർഭവിച്ചിരിക്കുന്ന തത്വങ്ങൾ അവർക്കും സമ്മതമാണ് എന്നു എനിക്കു മനസ്സിലാക്കാനിടവന്നതിൽ അമിതമായ സന്തോഷമുണ്ട്. തിരുവിതാംകൂറിൽ വർഗ്ഗീയ പ്രാധിനിധ്യം അനുവദിച്ചു കൊടുക്കണമെന്നു പറഞ്ഞു തുടങ്ങിയതു് ഇന്നും ഇന്നലെയും അല്ല. എന്റെ ഓർമ്മശരിയാണെങ്കിൽ മി. പി. എസ്സ്. മഹമ്മദ് പറഞ്ഞതുപോലെ മലയാളി മെമ്മോറിയൽ നടന്നകാലത്തു തന്നെ തിരുവിതാംകൂർ ഗവണ്മെൻറ് അതു മനസ്സിലാക്കിക്കഴിഞ്ഞു. സർവ്വീസിൽ എല്ലാവർക്കും പ്രവേശനം

കിട്ടേണ്ട അത്യാവശ്യകത എത്രത്തോളം ഉണ്ടെന്നു രാജ്യവാസികൾക്ക് ഇപ്പോൾ നന്നായിമനസ്സിലായിട്ടുണ്ട് എന്നുള്ളതു തീർച്ചയാണ്. പ്രസ്തുത മെമ്മോറിയൽകാലം തുടങ്ങി തുടരെയായി ഇടയിടെവിട്ടുതന്നെയാണെങ്കിലും അതേക്രമത്തിൽ തന്നെ വാദപ്രതിവാദങ്ങൾ നടത്തിയതിൻെറ ഫലമായി റവന്യൂദേവസ്വം വിഭജനം നടക്കുകയും; പൊതു മുതൽ കൊണ്ടു സംരക്ഷിക്കപ്പെടുന്ന ഗവണ്മെൻറു സ്ഥാപനങ്ങളിൽ പൊതു ജനങ്ങൾക്കു സാർവ്വത്രികമായി തുല്യാവകാശം കൊടുക്കണമെന്നും, അതിന്മണ്ണം തന്നെ ഗവണ്മെൻറിൻെറ ചുമതല വഹിച്ചു നടത്തുന്ന ഉദ്യോഗങ്ങളിലും നാട്ടുകാരായ പൗരന്മാർക്കു ന്യായമായ അവകാശം കൊടുക്കണം എന്നും ഉള്ള തത്വം നമ്മുടെ ഗവണ്മെൻറു സ്വീകരിക്കുകയും ചെയ്തുകഴിഞ്ഞു. ഈ തത്വം സ്വീകരിച്ചു എങ്കിലും ഗവണ്മെൻറു അവയെ നടപ്പിൽ വരുത്തുന്നതിനു മാത്രം അമാന്തം കാണിച്ചുവന്നു. ഈ വിഷയത്തിൽ ഇങ്ങനെ അമാന്തം കാണിച്ചതിൻെറ ഫലമായി ഇപ്പോൾ ചിലമാന്യസ്നേഹിതന്മാർ പറഞ്ഞതുപോലെ ഈ കൗൺസിലിൻെറ വിലയേറിയ സമയത്തെ ഈ ഉദ്യോഗകാര്യത്തിനുള്ള വാദപ്രതിവാദത്തിനു വേണ്ടി പ്രയോജനരഹിതമായികളയാൻ ഇടയായിട്ടുണ്ട്. പ്രജാസഭയിലെ അനേകം യോഗങ്ങളിലും ഈ വിഷയത്തെ സംബന്ധിച്ചു വളരെ അധികം സമയം വിനിയോഗിക്കുന്നതിനു സംഗതിയായിട്ടുണ്ട് ഓരോ അവസരങ്ങളിലും ഗവണ്മെൻറു ഈ വിഷയത്തെപ്പററി ഗാഢമായി പര്യാലോചിച്ചു ഉടൻതന്നെ വേണ്ടതു ചെയ്യാമെന്നു പറഞ്ഞിട്ടും ഉണ്ട്. എൻെറ സ്വന്ത അഭിപ്രായം പറഞ്ഞാൽ തിരുവിതാംകൂറിലുള്ള എല്ലാ ജനങ്ങൾക്കുമോ ഏതാനും ജനങ്ങൾക്കുമാത്രമോ ഉദ്യോഗംകൊടുക്കണമെന്നോ കൊടുക്കണ്ടാ എന്നോ ഞാൻ പറയുന്നില്ല. എന്നാൽ ഈ വിഷയവും എൻെറ ചുമതലയിൽപെട്ടതായി വരുന്നു എന്നു പറയാതെ കഴികയില്ല. ഞാൻ പ്രതിനിധീകരിക്കുന്ന നിയോജകമണ്ഡലത്തിലെ ജനങ്ങൾക്കു വേണ്ടി പ്രത്യേകം ചില വിഷയങ്ങൾ പറയുന്നതിലേക്കു എന്നെ പ്രേരിപ്പിക്കുമ്പോൾ അതിനെ ഗവണ്മെൻറിൻെറ ശ്രദ്ധയിൽ കൊണ്ടുവരിക എന്നുള്ളതാണ് എൻെറ. സ്വന്തമായ നിർവ്വഹണം. ഇവിടെ അതിലും വ്യാപകമായ പരിധയിൽഞാൻ കടക്കേണ്ടിവരുന്നുണ്ട്. മി. രാജരാജവർമ്മകോയിത്തമ്പുരാൻ ഒരു പ്രമേയത്തെപ്പററി അഭിപ്രായം പറഞ്ഞപ്പോൾ "എൻെറ അഭിപ്രായം എന്തെങ്കിലും ആകട്ടെ എൻെറ നിയോജകമണ്ഡലത്തിൻെറ അഭിപ്രായം അനുസരിച്ചു ഞാൻ ഓട്ടു ചെയ്യുന്നു" എന്നു പറഞ്ഞു.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): "ജനങ്ങളുടെ അഭിപ്രായം അനുസരിച്ച്" എന്നാണോ പറഞ്ഞതു് എന്നു പ്രൊസീഡിംഗ്സിൽ നോക്കണം.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): അതു നോക്കിയതാണ്.

ഞാൻ പറയുന്നതു് ഒരു വർഗ്ഗത്തിനുമാത്രം അവകാശം വേണമെന്നല്ലാ എന്നോർക്കണം. രാജ്യത്തിൽ അനീതിപരമായ നിലയിൽ നടത്തുന്ന സംഗതികളെ പരിഹരിച്ചു ശരിയായ വിധത്തിൽ പൌരന്മാർക്കു് അവരവർക്കുള്ള അവകാശം കൊടുക്കണംഎന്നു മാത്രമേ പ്രമേയത്തിൽ വിവരിച്ചിട്ടുള്ളു എന്നു് എന്റെ പ്രമേയം സൂക്ഷിച്ചു നോക്കിയാൽ വിശദമായി അറിയാം. വിദഗ്ദ്ധനായ ചീഫ് സിക്രട്ടറി പറഞ്ഞേടത്തോളം ഉള്ള ഉപദ്രവങ്ങൾ ഇതിൽ ഉള്ളതായും എനിക്കഭിപ്രായം ഇല്ല. അഞ്ചു വർഷകാലത്തേക്കു നൂതനമായി നടത്തുന്ന നിയമനങ്ങളിൽ അസമത്വം അനുഭവിക്കുന്ന സമുദായത്തിലെ അപേക്ഷകന്മാരുടെ അപേക്ഷയ്ക്കു പ്രാഥമ്യം നല്കണമെന്നൊരു ഭാഗം എന്റെ പ്രമേയത്തിൽ ഉണ്ടു്. അസമത്വം അനുഭവിക്കുന്നവരുടെ സങ്കടത്തെ തീർത്തുകൊടുക്കണമെന്നു മറയ്ക്കു പറയുന്നുണ്ടു്. അതിനെ ഗവണ്മെന്റു അനേകസ്ഥലങ്ങളിൽ അനേകം വിധത്തിൽ രേഖപ്പെടുത്തിയിട്ടുള്ളതായി പ്രമാണങ്ങളും ഉണ്ടു്. എന്നാൽ പരിഹാരംവരുന്നില്ല, പിന്നേയും പിന്നേയും വാദപ്രതിവാദങ്ങൾക്കിടയാകുന്നു. അസമത്വസമുദായക്കാരായ അപേക്ഷകന്മാർ ധാരാളമായി വന്നുചേരുന്നു; വിദ്യാഭ്യാസവും അവർക്കു വർദ്ധിച്ചുതന്നെ വരുന്നു; അവരെ നിരാശപ്പെടുത്തി ഗവണ്മെന്റു ഈ സ്ഥിതിയിൽ ഇനിയും വച്ചുകൊണ്ടിരിക്കുന്നതു ശരിയല്ല. അതുകൊണ്ടു് അഞ്ചുവർഷകാലത്തേക്കു് അവരുടെ അപേക്ഷയ്ക്കു പ്രാഥമ്യം കൊടുക്കണമെന്നാണു ഞാൻ ഇനിയുംപറയുന്നതു്. ഏതാനുംഅപേക്ഷകർവന്നാൽഅതിൽ പ്രാഥമ്യം അസമത്വസമുദായക്കാർക്കു കൊടുക്കുക; എന്നല്ലാതെ അവർക്കു കൊടുത്തിട്ടേ മററുള്ളവർക്കു കൊടുക്കാവൂ എന്നു ഞാൻ നിർബന്ധമായി പറയുന്നില്ലാ. അവർക്കു പ്രാഥമ്യം കൊടുത്തു പരിഹാരം ഉണ്ടാക്കണമെന്നും അതിനുവേണ്ട പദ്ധതി ഏർപ്പെടുത്തേണമെന്നും മാത്രമേ ഞാൻ ഇവിടെ പറയുന്നുള്ളു. അധികാരങ്ങളെ സംബന്ധിച്ചുള്ള വിഭജനകർത്തവ്യമെല്ലാം ഗവണ്മെന്റുതന്നെ വച്ചുകൊള്ളട്ടെ. ന്യായമായ അവകാശത്തെ അസമത്വസമുദായങ്ങൾക്കു ഇത്രയും കാലത്തേക്കു് എങ്കിലും വീതിച്ചുകൊടുക്കട്ടെ. ഈ വിധത്തിൽ കൊടുക്കാമെ

ങ്കിൽ മുറപ്രകാരം ക്രമേണ ഈ സങ്കടം പരിഹരിക്കപ്പെടാവുന്നതാണ്. മി. രാജരാജവർമ്മയുടെ അമെൻഡുമെൻറിൽ ഈ തത്വത്തെ ആസ്പദമാക്കിയല്ല പറഞ്ഞിരിക്കുന്നതു്. പ്രാഥമ്യം കൊടുക്കാമെന്നു് പറയുന്നതുതുടങ്ങി എൻെറ മാന്യസ്നേഹിതൻ അതിൽ പല ഭാഗങ്ങളും വിട്ടിട്ടുണ്ടു്. അതിനെപ്പററിയുള്ള വാദപ്രതിവാദത്തെ ആസ്പദമാക്കി ചുരുക്കത്തിൽ എൻെറ അഭിപ്രായഭേദം കൌൺസിലിൻെറ ശ്രദ്ധയിൽ കൊണ്ടുവരാമെന്നു വിചാരിക്കുന്നു. ഇപ്പോഠം കൌൺസിലിൻെറ ആലോചനയിൽ ഇരിക്കുന്ന പ്രമേയം ഇന്നുമാത്രം കൊണ്ടുവന്നിട്ടുള്ളതല്ല. വളരെമാസങ്ങഠക്കു മുമ്പുതന്നെ ഇതു് കൌൺസിൽനോട്ടീസിൽ വന്നിട്ടുള്ളതാണു്. ആറുമാസത്തിനുമുമ്പേ നോട്ടീസു കൊടുത്തതിനുശേഷം ഇതു് ബാലററിൽവന്നു് കഴിഞ്ഞമകരത്തിൽ ഇതിനെ കൌൺസിലിൽ ഹാജരാക്കി. അന്നു് എൻെറ അഭിപ്രായത്തെ വളരെ വിശദമായി ഞാൻ ഇവിടെ പറഞ്ഞിട്ടുണ്ടു്. തിരുവിതാംകൂറിലെ പൌരന്മാരുടെ ന്യായമായ അവകാശങ്ങഠ ജാതിമതങ്ങളെ പരിഗണിക്കാതെ കൊടുക്കണമെന്നാണു് ഞാൻ പറയുന്നതിൻെറസാരം. ഈഴവനായാലും, പുലയനായാലും, ക്രിസ്ത്യാനിയായാലും, മഹമ്മദീയനായാലും, നമ്പൂതിരിയായാലും, വെള്ളാളനായാലും, അവരുടെ അവകാശത്തെ—ന്യായമായ അവരുടെ അവകാശത്തെ—കൊടുക്കണമെന്നാണു് എൻെറ അപേക്ഷയുടെ താല്പര്യം—എന്നു വിശദമായി അന്നു പറഞ്ഞു. ഇന്നും അസമത്വം അനുഭവിക്കുന്നവക്കു് അവരുടെ ന്യായമായ അവകാശങ്ങഠ കൊടുക്കണമെന്നേ ഞാൻ പറയുന്നുള്ളു. സമുദായങ്ങളിൽ വലുതിനോ ചെറുതിനോ കൊടുക്കണമെന്നു പറഞ്ഞില്ല. അസമത്വസമുദായങ്ങഠക്കു് അവരുടെ അവകാശം കൊടുക്കണമെന്നുള്ള അഭിപ്രായം ഗവണ്മെൻറും സ്വീകരിച്ചിട്ടുണ്ടു്. അവയെ പ്രായോഗികമാക്കിത്തീക്കാൻ നിശ്ചയിക്കുന്നപക്ഷം നടപ്പിൽവരും. ആക്കും പരാതിക്കു് വഴിയില്ലാതാകയുംചെയ്യും.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ഞാനും അതിൽനിന്നു വ്യത്യസ്തമായിട്ടല്ല പറഞ്ഞതു് എന്നു് മെംബക്കറിയാമോ?

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): വ്യത്യസ്തമായിട്ടായിരിക്കയില്ല പറഞ്ഞതു് എന്നു വിചാരിക്കാം. മുൻപറഞ്ഞ അസമത്വസമുദായത്തിലെ ആളുകഠക്കു് കൊടുക്കണം എന്നു പറയുമ്പോഠ മൈനാറിട്ടി സമുദായങ്ങഠക്കു കൊടുക്കേണ്ട എന്നത്ഥമില്ല. അസമത്വം എവിടെയാണോ അവിടെ കൊടുക്കണം എന്നേ അത്ഥമാകു

[Mr. A. C. Kuriakose.]

ന്നുള്ള. കത്തോലിക്കനോ, മഹമ്മദീയനോ മാത്രം കൊടുക്കണമെന്നുള്ള വിചാരത്തോടുകൂടിയല്ല ഞാൻ ഈ പ്രമേയം ഹാജരാക്കീട്ടുള്ളതു്. അതു് ഗവമ്മെൻറും മനസ്സിലാക്കണം. എൻെറ പ്രമേയം ഗവർമെൻറും സ്വീകരിക്കേണ്ടതാണ്. പിന്നെ എൻെറ പ്രമേയത്തിൻെറ വാചകങ്ങളെ വ്യാഖ്യാനിക്കുന്നതിൽ അഭിപ്രായവ്യത്യാസം ഉണ്ടെങ്കിൽ ഇതിനെ അംഗീകരിച്ചശേഷം ഗവമ്മെൻറിനുവേണ്ടവിധത്തിൽ ദോഷം പരിഹരിച്ചു് ഇപ്പോഴത്തെ രാജ്യവാസികളായ ജനങ്ങൾക്കു് തൃപ്തികരമാകത്തക്കവിധത്തിൽ ഒരന്തരീക്ഷം ഉണ്ടാക്കാൻ കഴിയുന്നതുമാണ്. ഈ പ്രമേയത്തിലെ പ്രാഥമികതത്വത്തിനു എൻെറ മാന്യസ്നേഹിതന്മാക്കു കൂടുതൽ സന്തോഷം ഉണ്ടെന്നും അതു് അവരുടെ ശ്രദ്ധയിൽ പെട്ടിട്ടുണ്ടെന്നും ഉള്ള ഒരു മുഖ്യ സംഗതി മാത്രമേ പരിഗണനീയമായിട്ടുള്ളു എന്നാണ് എനിക്കു് പറയാനുള്ളതു്. വർഗ്ഗീയപ്രാതിനിധ്യം സമ്മതിക്കാവുന്ന ഒന്നാണെന്നു ചില സ്നേഹിതന്മാർ അഭിപ്രായപ്പെട്ടു; പരമാത്ഥത്തിൽ ഈ രാജ്യത്തിലെ ജനസമുദായത്തിൻെറ ഇടയിൽ വല്ല അസ്വാസ്ഥതയും ഉണ്ടെങ്കിൽ അതിനുകാരണമായിരിക്കുന്ന സംഗതിയെ പരിഹരിക്കാൻ ഇടയാകുന്നപക്ഷം ഈ രാജ്യത്തെ സമുദായങ്ങൾ തമ്മിൽ ഏകോദരസഹോദരന്മാരെപ്പോലെ വത്തിക്കാമെന്നും, ഭിന്നവർഗ്ഗക്കാരായ സഹോദരസമുദായങ്ങൾ ഒരു കാലത്തു് ഇതിൽനിന്നും മാറിനിന്നിരുന്നു എന്നുള്ള ഒരപവാദത്തെ മാററിക്കളഞ്ഞിട്ടു്, പരന്ന സഹോദര ബുദ്ധിയോടുകൂടി കഴിയാം എന്നും വിചാരിച്ചായിരിക്കണം. ഞാൻ പറയുന്നതും ഈ കാരണങ്ങളിന്മേൽതന്നെയാണ്. ഈ നിസ്സാരസംഗതിക്കുവേണ്ടി സമുദായങ്ങൾ തമ്മിൽ ഭിന്നതഉണ്ടാക്കി, കൗൺസിലിൻെറ വിലയേറിയ സമയത്തെ ബലികഴിച്ചു പൌരഹൃദയങ്ങളെ വേദനപ്പെടുത്തത്തക്കവണ്ണം അഭിപ്രായങ്ങളെ പുറപ്പെടുവിക്കുന്ന ഒരന്തരീക്ഷം തിരുവിതാംകൂറിലുണ്ടെങ്കിൽ അതിനെ പരിഹരിക്കേണ്ടതു ഗവമ്മെൻറിൻേറയും ചുമതലയാണ്. ജനങ്ങളുടെ സ്വൈരമായ സംരക്ഷണത്തെ പുരസ്കരിക്കയാണു് ഒരു ഗവമ്മെൻറിൻെറ ചുമതല. ഭൂരിപക്ഷം ജനങ്ങൾ ഒരു നിവൃത്തനത്തിൽ പങ്കുകൊള്ളാതെയിരിക്ക — ഭൂരിപക്ഷം ഇല്ലാത്ത ജനങ്ങളുടെ നിസ്സാരമായ നഷ്ടത്തെ — ഗവമ്മെൻറിനു പരിഹരിക്കാവുന്ന നഷ്ടത്തെ — ചിലർമാത്രം വളരെക്കാലമായി അനുഭവിച്ചുവരുന്ന അനുഭവത്തെ — അവഗണിച്ചും,

അനാസ്പദമെന്നു നിഷേധിച്ചും ബഹുഭൂരിപക്ഷത്തിന്റെ സങ്കടത്തെ പരിഹരിക്കണമെന്നു ഗവൺമെന്റിനോട് ജനപ്രതിനിധികൾ ഉണൎത്തിക്കയും അപേക്ഷിക്കയും ചെയ്യുന്നു; ജനപ്രതിനിധികൾ മുറവിളികൂട്ടുന്നു; മററുള്ളവർ അവരെ ഏററക്കുറെ സഹായിക്കുന്നു; ഈ അവസരത്തിൽ, ഗവൺമെൻറ് പറഞ്ഞതെല്ലാം പ്രവൎത്തിക്കണമെന്നേ പ്രധാനമായി പറയുന്നുള്ളു. ൧൧൦൪ കൎക്കടകം സെഷനിൽ മി. ആർ. രാമൻ പിള്ള കൊണ്ടുവന്ന ഉപക്ഷേപത്തിന് ഗവൺമെൻറിൽനിന്നു നൽകിയിട്ടുള്ള വാഗ്ദാനം ആ ആണ്ടത്തെ കൎക്കടകം സെഷൻ പ്രൊസീഡിംഗ്സിന്റെ ൩൧൨-ാം വശത്തു് കാണുന്നുണ്ട്. അതു് ഇംഗ്ലീഷിലാണെങ്കിലും അതിന്റെ സ്വരൂപം ഏകദേശം ഇവിടെ പറയാം.

"നമ്മുടെ എല്ലാപേരുടേയും ഹൃദയങ്ങളെ വിഷമിപ്പിച്ചുകൊണ്ടിരിക്കുന്ന സമുദായവാദങ്ങളെ സംബന്ധിച്ച് ഒരു പരിഹാരം ഉണ്ടാക്കുന്നതിനായി ഉള്ള മെംബറന്മാരുടെ ആഗ്രഹത്തെ ഗവൺമെൻറ് മനസ്സിലാക്കിയിരിക്കുന്നു. ഇതിന് ഒരു പരിഹാരം ഉണ്ടാക്കുന്നതിനു ഗവൺമെൻറും പരിശ്രമിക്കുന്നുണ്ട്. പ്രാതിനിധ്യം ഇല്ലാത്തതും പ്രാതിനിധ്യം കുറഞ്ഞതുമായ സമുദായങ്ങളെ സംബന്ധിച്ച് പ്രഥമനിയമനത്തിൽ പ്രാഥമ്യംകൊടുത്തു് അസമത്വത്തെ കഴിയുന്നവിധത്തിൽ പരിഹരിക്കുന്നതിനു ശ്രമിക്കുന്നുണ്ട്. അങ്ങനെയുള്ള ശ്രമം കാൎയ്യക്ഷമതക്ക് ഭംഗംവരുത്താതെ സൂക്ഷിക്കുന്നുമുണ്ട്. ഈ ശ്രമത്തിൽ ചില ന്യൂനതകൾ വന്നിട്ടുണ്ട്. അവയെ പരിഹരിക്കുന്നതിനു മെംബറന്മാരുടെ പല നിൎദ്ദേശങ്ങളെപ്പററിയും ആലോചിക്കുന്നതാണ്" എന്നാണല്ലോ അതിൽ പറഞ്ഞിരിക്കുന്നതു്.

ഇത്ര വിശദമായി നൂതന നിയമനത്തിൽ, അസമത്വം അനുഭവിക്കുന്ന സമുദായങ്ങൾക്കു പ്രഥമാവകാശം കൊടുക്കാമെന്ന് ഗവൺമെൻറ് അതിൽ സമ്മതിച്ചിരിക്കുന്നു. പക്ഷേ അനുഭവം എന്താണെന്നു പറയേണ്ടതുമില്ല. ഗവൺമെൻറു ഇതു രണ്ടുവർഷം മുമ്പാണ് പറഞ്ഞതു്. അതിനെ എന്തുകൊണ്ടു ഗവൺമെൻറ് നിരാകരിക്കുന്നു? ഈ പ്രമേയത്തിലെ ശക്തിയേറിയ വാചകം ഇപ്പോഴം സ്വീകാൎയ്യമല്ലാതെ വന്നതെന്തുകൊണ്ടാണ്?

ഇതുപോലെതന്നെ നമ്മുടെ ഗവൺമെൻറ്, ഈ കഴിഞ്ഞ ഇരുപത്താറാമത്തെ പ്രജാസഭായോഗത്തിൽ വൎഗ്ഗീയപ്രാതിനിധ്യത്തെപററി അനേകംപേർ വാദിച്ചപ്പോൾ, അവൎക്കു കൊടുത്ത മറുപടി പ്രജാസഭ നടപടിയുടെ ൩൧൬-ാംപേജിൽ ഇങ്ങിനെകാണുന്നു.

[Mr. A. C. Kuriakose.]

"വൎഗ്ഗീയപ്രാതിനിധ്യം സംബന്ധിച്ചു ഗവണ്മെൻറു നൽകീട്ടുള്ള ആജ്ഞകളെ നിയമനാധികാരം ഉള്ളവർ ശരിയായി ആദരിക്കുന്നില്ലെന്നും അതിനാൽ വ്യക്തമായ വ്യവസ്ഥകളെക്കൊണ്ടു ഈ കാൎയ്യത്തിനു ശരിയായ നടപ്പുണ്ടാക്കേണമെന്നും മററും ആണു് നിങ്ങളിൽപലരും ഇവിടെ പറഞ്ഞിട്ടുള്ളതിൻെറ ചുരുക്കം. ഈ വിഷയം ഗവണ്മെൻറിൻെറ ഗാഢമായ പൎയ്യാലോചനയ്ക്കു വിഷയമായിരിക്കുകയാണു്. മേലാൽ ഈ വിഷയത്തെപ്പററി യാതൊരു പരാതിക്കും ഇടയാകാത്തവിധം വ്യവസ്ഥാപിതങ്ങളായ റൂളുകൾ ഉണ്ടാക്കാം."

ഇങ്ങനെ പറഞ്ഞിട്ടു ഒരു കൊല്ലമായി. അടുത്തുവരുന്ന പ്രജാസഭക്കു് ഇപ്പോൾതന്നെ നിവേദനങ്ങൾ വന്നിരിക്കണം. ആ കൂട്ടത്തിൽ കുറഞ്ഞപക്ഷം രണ്ടു ഡസ്സൻ വൎഗ്ഗീയപ്രാതിനിധ്യ നിവേദനങ്ങൾ കാണുമെന്നാണു് ഞാൻ വിചാരിക്കുന്നതു്. ദിവാൻ മി. രാഘവയ്യായുടെ കാലത്താണു നമ്മുടെ ഗവണ്മെൻറു വൎഗ്ഗീയപ്രാതിനിധ്യത്തെ ആദരിച്ചു റൂൾ ഉണ്ടാക്കിയതു്. അതിൽ ആൎക്കും തൎക്കമില്ല. അതു ജനപ്രതിനിധികളും പൂൎണ്ണമായി സമ്മതിക്കുന്ന തത്വമത്രേ. ഗവണ്മെൻറു വാഗ്ദാനം ചെയ്തതു അതിനെ നല്ലവണ്ണം നടപ്പിലാക്കുവാനായി ഗാഢമായി ആലോചിക്കാം എന്നാണു്. ഇവിടെ ഞങ്ങൾക്കു ന്യായമായ അവകാശങ്ങൾ തരാമെന്നു സമ്മതിക്കുന്നു. ഞങ്ങളുടെ അവകാശവാദത്തിലുള്ള തത്വത്തെ സ്വീകരിക്കുകയുംചെയ്യുന്നു. അതിനു പരിഹാരമാൎഗ്ഗം ഉണ്ടാക്കാമെന്നുള്ള അഭിപ്രായത്തെ ഇന്നും തുറന്നു പറയുന്നു. എന്നാൽ അസമത്വം അനുഭവിക്കുന്നവരോടു നീതി നടത്തുന്നതിനും അവരെ സഹായിക്കുന്നതിനും ഗവണ്മെൻറു് തയ്യാറാകുന്നില്ല. കാരണം എന്താണു്? ആ കാരണത്തെപ്പററി ചിന്തിക്കേണ്ടതാണു് ആവശ്യം. രാജ്യത്തിൽ സമാധാനം ഉണ്ടാക്കുന്നതിനു് പൌരാവകാശത്തെ—പലതരത്തിലും അൎഹതയുള്ള ന്യായമായ അവകാശത്തെ കൊടുക്കാതെ വീണ്ടും വീണ്ടും അതിനോടുള്ള അനുഭാവത്തെ വാഗ്രൂപത്തിൽ മാത്രം കാണിച്ചുകൊണ്ടും അനുകമ്പയോടുകൂടി വീക്ഷിച്ചുകൊണ്ടും സമയം കളയുന്നതിൻെറ അൎത്ഥമെന്താണു്?

ഇതിനെപ്പററി ചുരുക്കമായി പറയുന്നതിനുമുമ്പായി ഒന്നു് രണ്ടു് സംഗതികൾകൂടി ഗവണ്മെൻറിൻെറ ശ്രദ്ധയിൽ കൊണ്ടുവരേണ്ടിയിരിക്കുന്നു. ഈ വൎഗ്ഗീയ പ്രാതിനിധ്യവാദം ഈ തിരുവിതാംകൂറിൽ മാത്രമല്ല ഉള്ളതു്. മൈസൂർ മുതലതായ നാട്ടുരാജ്യങ്ങളിലും ഉണ്ടു്. മദ്രാസിലെ സംസ്ഥാനിക നിയമസഭയിൽ ഇതിനെപ്പററി വളരെ വാദ

പ്രതിവാദം നടന്നിട്ടുണ്ട്. ഇൻഡ്യയൊട്ടുക്കും ഇപ്പോൾ ഈ വർഗ്ഗീയപ്രാതിനിധ്യവിഷയത്തെപ്പററി വാദപ്രതിവാദം നടക്കുന്ന ഒരു ഘട്ടമാണ്.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : റൗണ്ട്ടേബിൾ കാൺഫറൻസ്സിൽകൂടി ഈ വാദം ഉണ്ടെന്നറിയാമോ?

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*) : അറിയാം, പറയാൻ വരുന്നു. സൈമൺകമ്മീഷൻ റിപ്പോർട്ട് രണ്ടാംവാല്യം ൨൬൧-ാം വശത്ത് ഈ വിഷയം സംബന്ധിച്ചു രേഖപ്പെടുത്തീട്ടുള്ള അഭിപ്രായം ഇങ്ങനെയാണ്.

"നിയമനങ്ങൾ പബ്ളിക്ക് സർവീസ് കമ്മീഷൻ മൂലമായിരിക്കണം. ഈ കമ്മീഷനിലെ അംഗങ്ങൾ ഒരു രാഷ്ട്രീയ കക്ഷിയിൽ പെട്ടവരോ, ഗവണ്മെൻറിൻെറ ആജ്ഞാകരന്മാരോ ആയിരിക്കരുത്. ഇൻഡ്യാഗവണ്മെൻറിനെ സംബന്ധിച്ചിടത്തോളം വൈസ്രായിയും പ്രാദേശിക ഗവണ്മെൻറുകളെ സംബന്ധിച്ചിടത്തോളം ഗവർണ്ണർമാരും ആയിരിക്കണം കമ്മീഷനെ നിയമിക്കുന്നത്. ഓരോപ്രത്യേക വിഭാഗത്തിലും അധിവസിക്കുന്ന ജനസമുദായങ്ങളുടെ അവകാശങ്ങൾ സുരക്ഷിതമായി പാലിക്കത്തക്കവണ്ണം ഗവണ്മെൻറു ഉണ്ടാക്കുന്ന റൂളുകളെ അടിസ്ഥാനമിക്കി നിയമനം നടത്തണം. വർഗ്ഗീയപ്രാതിനിധ്യം വേണ്ടിടത്ത് അതാനുയോജിച്ച വ്യവസ്ഥകൾ ഉണ്ടായിരിക്കണം."

പാശ്ചാത്യരാജ്യങ്ങളിലെ പരിഷ്കൃതമായ വ്യവസ്ഥകൾ അറിഞ്ഞിട്ടുള്ള യോഗ്യന്മാർ ഇൻഡ്യക്കുപററിയ ഭരണവ്യവസ്ഥകൾ എന്തെല്ലാമാണെന്ന് അറിയുന്നതിന് അന്വേഷണം നടത്തിയതിൻെറ ഫലമായിരേഖപ്പെടുത്തിയതാണ് ഇത്. ഇതു ഗണനീയമായ ഒരു പ്രമാണമാകുന്നു. ഇൻഡ്യക്കു വർഗീയപ്രാതിനിധ്യത്തിൻെറ പ്രാധാന്യം എത്രമാത്രം ഉണ്ടെന്നു അവർ ഇതിൽ സമ്മതിക്കുന്നു. അതിനു നിസ്സംശയമായ പ്രാധാന്യം കൊടുക്കണമെന്നാണ് ഇതിൽ പറയുന്നത്. പരിഷ്കൃതഗവണ്മെൻറുകൾ സൈമൺ കമ്മീഷൻ റിപ്പോട്ടിനെ ഒരു പ്രമാണം ആക്കുന്നില്ല എന്നു വിചാരിക്കുന്ന പക്ഷവും അത് വിദഗ്ധന്മാരായ ചിലരുടെ അഭിപ്രായമാണ് എന്നു സമ്മതിക്കാതെ കഴികയില്ല. അവർ ഇൻഡ്യയ്ക്കു പുറത്തുള്ള ആളുകളും മാന്യന്മാരുമാണ്. അതിനാൽ വർഗ്ഗീയപ്രാതിനിധ്യവാദം തിരുവിതാംകൂറിൽ മാത്രം ഉള്ളതല്ല എന്നുമനസ്സിലാകും. തിരുവിതാംകൂറിൽ നമ്മുടെ ഗവണ്മെൻറു വിചാരിച്ചാൽ ഇതിനു പരിഹാരം ഉണ്ടാക്കാൻ പ്രയാസമുള്ളതുമല്ല. എത്രയോ പ്രയാസമുള്ള വിഷയങ്ങളെ ഗവർണ്മെൻറു നേരിട്ടുപരിഹരിച്ചു. അതു ശക്തിയായും യുക്തിയായും ഭരണം നടത്തിക്കൊണ്ടു പോകുന്ന ഒരു ഗവണ്മെ

[Mr. A. C. Kuriakose.]

ന്റിനകഴിയുകയും ചെയ്യും. ആ ചുമതലകൾ ഏറ്റെടുക്കുന്ന ഉദ്യോഗസ്ഥന്മാർ അധികം പേരും ഈ രാജ്യത്തു ജനിച്ചു, സഹോദരസമുദായങ്ങളിലെ അംഗങ്ങളാണെന്നും, അവരുടെ ഉദ്യോഗം പരിയവസാനിച്ചതിൽ പിന്നെ രാജ്യത്തിലെ പൗരന്മാരായി പ്രവൃത്തിക്കേണ്ടവരാണ് എന്നും ഓർക്കേണ്ടതാണ്. ഭിന്നസമുദായങ്ങൾ അനുഭവിക്കുന്ന സങ്കടങ്ങളിൽ അശേഷം കൃപതോന്നാതെ ഇരിക്കുന്നതിനാൽ ഉദ്യോഗസ്ഥന്മാർ ഗവർമെന്റിന്റെ വ്യവസ്ഥകളെപ്പോലും അതിലംഘിച്ച് പ്രവർത്തിക്കുവാൻ തുനിയാറാകുന്നുണ്ടെങ്കിൽ അത് വർഗ്ഗീയവിദ്വേഷമനഃസ്ഥിതികൊണ്ടാണെന്നും. അങ്ങിനെവരാതിരിക്കുന്നതിന് ഉദ്യോഗസ്ഥന്മാരും അനുദ്യോഗസ്ഥന്മാർ സഹോദരബുദ്ധിയോടു കൂടിയും രാജ്യത്തിന് നന്മവരുത്തണമെന്നുള്ള വും യോജിച്ചു ആലോചിച്ചു ഈ പ്രശ്നത്തിനു ഒരു പരിഹാരം വരുത്തുകവാനും പ്രവർത്തിക്കേണ്ടവരാണ് എന്നും ഓർമ്മിപ്പിക്കേണ്ടിയിരുന്നു. ഇതിനെ സംബന്ധിച്ചിടത്തോളം എന്റെ ഉദ്യമം അസ്ഥാനത്തിൽ അല്ലെന്നു കാണാം.

PRESIDENT: സമയം കഴിഞ്ഞിരിക്കുന്നു.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): അല്പം കൂടി പറയാനുണ്ട്.

PRESIDENT: മണി രണ്ടടിക്കാൻ പോകുന്നുണ്ട്.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): മദ്രാസിലെ റൊട്ടേഷൻ സ്കീമിനെ സംബന്ധിച്ചും മററും കൂടി പറയാനുണ്ട്. ഇപ്പോൾ സമയമില്ലെങ്കിൽ ലഞ്ച് കഴിഞ്ഞുംമതിയാകും.

The Council adjourned for lunch at 2 P. M. and reassembled at 2-45 P. M.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): സർ, മദ്രാസിലെ റൊട്ടേഷൻ സ്കീം അനുസരിച്ച് നിയമനം നടത്തുന്നതിനെസംബന്ധിച്ചുള്ള ജി. ഒ. ഇങ്ങനെയാണെന്നു ഞാൻ മനസ്സിലാക്കുന്നു. അതായത് ൧൨ ഒഴിവുണ്ടാകുന്നവയ്ക്കു. അതിൽ അബ്രാഹ്മണഹിന്ദുക്കൾക്കായിട്ടു ൬-ം മുഹമ്മദീയർക്കായിട്ട് ൨-ം ഇൻഡ്യൻ ക്രിസ്ത്യാനികൾക്കായിട്ടു ഒന്നു, ബ്രാഹ്മണർക്കായിട്ടു ൨-ം ശേഷമുള്ളതു ഇതരസമുദായക്കാർക്കായിട്ടും കൊടുക്കണമെന്നാണ്. പ്രമോഷൻ നൽകുന്നതും ഈ തോതനുസരിച്ചാണ്. നമ്മുടെ ഗവർമെന്റിനും ഇതുപോലെ ഒരു പ്രമാണം ഉണ്ടാക്കാം. ഈ വിഷയത്തിൽ എന്റെ മാന്യസ്നേഹിതന്മാർ പറഞ്ഞ ആ

ഭിപ്രായങ്ങളെ സാമാന്യമായി ഒന്നു സ്പർശിച്ചു എനിക്കു പറയുവാനുള്ളതും പറഞ്ഞുകൊള്ളാം. വർഗ്ഗീയപ്രാതിനിധ്യത്തെ സംബന്ധിച്ച് എന്റെ മാന്യസ്നേഹിതന്മാരായ മെസ്സേർസ്. കെ. പി. നീലകണ്ഠപ്പിള്ള ആർ. രാമൻപിള്ള, മുറവേലിൽപാച്ചുപിള്ള, ആർ. കേശവപിള്ള എന്നീ മാന്യന്മാർ സംസാരിക്കയുണ്ടായി. ഈ ആശയങ്ങളോടുകൂടി മി. എ. താണുപിള്ള ഇതിലേക്കു, ഒരു കമ്മിററിവച്ച് വേണ്ട വ്യവസ്ഥചെയ്യണമെന്നു പറഞ്ഞു. മി. ആശാനാണെങ്കിൽ, ഈ ഭാരം കൌൺസിലിൽനിന്നും തിരഞ്ഞെടുക്കപ്പെടുന്ന ഒരു കമ്മിററി നിർവഹിക്കേണ്ടതാണെന്നു പറയുകയുണ്ടായി. എന്റെ സ്നേഹിതൻ മി. മുരിക്കൻ കൌൺസിലിൽനിന്നും തിരഞ്ഞെടുക്കപ്പെടുന്ന കമ്മിററിയെ ഈ കാര്യം ചുമതലപ്പെടുത്തുന്നതു തൃപ്തികരമല്ല എന്നു പറഞ്ഞപ്പോൾ അദ്ദേഹം ഒരു നിയോജകമണ്ഡലത്തിൽനിന്നും തിരഞ്ഞെടുക്കപ്പെട്ടയാളല്ലേ എന്നു ചോദിച്ചുകേട്ടു. വാസ്തവംതന്നെ. തിരുവിതാംകൂറിലെ ഇന്നത്തെ നിയമസഭയുടെ ഘടനയനുസരിച്ചു വർഗ്ഗീയനിയോജകമണ്ഡലങ്ങളിൽനിന്നു തിരഞ്ഞെടുപ്പു നടക്കുന്നില്ല. അതുകൊണ്ടു അസമത്വം പരിഹരിക്കുന്നതിനു ഈ കൌൺസിലിൽനിന്നു തിരഞ്ഞെടുക്കുന്ന ഒരു കമ്മിററി മതിയാകുന്നതല്ല എന്നു സ്പഷ്ടമായിപറയാം.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): ഈ കൌൺസിലിനെപ്പററി വിശ്വാസമുണ്ടോ?

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): കൌൺസിലിനെപ്പററി വിശ്വാസമുണ്ട്. വർഗ്ഗീയമായ കാര്യങ്ങളല്ലാതെ മററു അനേകം കാര്യങ്ങളിൽ ഇവിടെ സഹകരിച്ചു പ്രവർത്തിച്ചിട്ടുണ്ട്. തിരുവിതാംകൂറിലെ പൊതുമുതൽകൊണ്ടു സംരക്ഷിച്ചുവരുന്ന സത്രങ്ങളിലും വഴികളിലും ഒരുപോലെ എല്ലാവർഗ്ഗക്കാർക്കും പ്രവേശനം നല്കണമെന്നു മി. ആശാൻതന്നെ ഇവിടെ ഒരു പ്രമേയം കൊണ്ടുവരികയും അനൌദ്യോഗസ്ഥഭാഗം പരിപൂർണ്ണമായി യോജിച്ചു അതു പാസാക്കുകയും ചെയ്തു. ഇതേ ചോദ്യംതന്നെയാണ് ഞാനും ഇപ്പോൾ ചോദിക്കുന്നതു്. തിരുവിതാംകൂറിലെ പൊതുമുതൽകൊണ്ടു സംരക്ഷിക്കപ്പെട്ടു വരുന്നതായ വിവിധഡിപ്പാർട്ടുമെൻറുകളിൽ ഇവിടെയുള്ള എല്ലാവർഗ്ഗക്കാർക്കും എന്തുകൊണ്ടു പ്രവേശനം കൊടുക്കാൻപാടില്ല. ഈ കൌൺസിലിൽ തന്നെ ഭിന്നമായ മനഃസ്ഥിതിയും ഭിന്നമായ സ്വഭാവവും ചിലരിൽ കാണുന്നുണ്ട്. എന്റെ സ്നേഹിതൻ മി. ടി. സി. കേശവപിള്ള പറഞ്ഞതു്, മുക്കവർ ആദിയായവർക്കു ഇതിലേക്കു യോഗ്യതയുണ്ടോ എന്നാ

[Mr. A. C. Kuriakose.]

ണ്. എൻെറ പ്രമേയം ഓരോവർഗ്ഗത്തിനും അവരവക്കർഹതയുള്ളതു് ഗവമ്മെൻറിൻെറ പ്രമാണത്തിനു വിരോധമില്ലാതെതന്നെ കൊടുക്കണമെന്നാണ്. മുക്കവർ ആയാലും കത്തോലിക്കരായാലും അവർ മനുഷ്യർതന്നെയാണല്ലൊ. അവരും തിരുവിതാംകൂറിലെ പൌരന്മാർതന്നെയാണ്. മനുഷ്യർ ഉണ്ടാക്കുന്നതാണ് ഈവക വർണ്ണവ്യത്യാസങ്ങൾ. ശക്തിയുള്ളവർ അതിനെ സംരക്ഷിക്കണമെന്നു വിചാരിക്കുന്നു. ശക്തിഹീനന്മാരായ ആളുകൾ അവർക്കു ലഭിക്കേണ്ടതു് ലഭിക്കണമെന്നു ആഗ്രഹിക്കുന്നു. അതിൽ ഗവമ്മെൻറുതന്നെയാണ് മുന്നിട്ടു പ്രവർത്തിക്കേണ്ടതു്. സൈമൺകമ്മീഷൻ റിപ്പോർട്ടിൽ അസമത്വപരിഹാരം ഗവമ്മെൻറുതന്നെ കയ്യേൽക്കേണമെന്നു പറഞ്ഞിട്ടുണ്ടു്.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*) : അരയന്മാർ കാത്തോലിക്കരാകുന്നുണ്ടോ?

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*) : ബ്രാഹ്മണർ, പറയർ, പുലയർ ഇങ്ങനെ പല വർഗ്ഗത്തിലും പെട്ടവർ കത്തോലിക്കരായിട്ടുണ്ടു്. ആകുന്നുമുണ്ടു്.

ഈ കൗൺസിലിൽ മി. ടി. സി. കേശവപിള്ള പറയുന്നഭാഷതന്നെ 'പോത്തും കാളയും' പട്ടികൾ, എന്നൊക്കെയാണ്. ഇതിൻെറ സഭ്യതയെപ്പററി എനിക്കഭിപ്രായംപറയുവാനില്ല. എന്നാൽ എത്രയും സ്വാമിഭക്തിയോടുകൂടി യജമാനനെ രക്ഷിക്കുന്നതിനുവേണ്ടി ജീവനെ ത്യജിച്ചിട്ടുള്ള അനേകം പട്ടികളെക്കുറിച്ചു എനിക്കറിയാം. സഭ്യയിൽ കലമ്പൽകൂട്ടുന്ന പട്ടികളെപ്പററിയാണ് മി. ടി. സി. കേശവപിള്ള പറയുന്നതെങ്കിൽ, ഇങ്ങിനെയുള്ള പട്ടികളെപ്പററിയും എനിക്കു പറയുവാൻകഴിയും. ഓരോവർഗ്ഗക്കാർക്കും ന്യായമായി കിട്ടേണ്ട അവകാശം, ഗവമ്മെൻറിൻെറ പ്രമാണങ്ങൾക്കു വിരോധമില്ലാതെ നൽകണമെന്നു ചോദിക്കുമ്പോൾ, അതു ഈ കൗൺസിലിൽനിന്നും തിരഞ്ഞെടുക്കപ്പെടുന്ന ഒരു കമ്മിററിയാണ് തീർച്ചചെയ്യേണ്ടതു് എന്നുപറയേണ്ട യാതൊരാവശ്യവുമില്ല. ഗവമ്മെൻറു സമഭാവനയോടുകൂടി പ്രവർത്തിച്ചാൽമതി. വർഗ്ഗീയമായ നിയോജകമണ്ഡലങ്ങളിൽനിന്നും പ്രതിനിധികൾ തിരഞ്ഞെടുക്കപ്പെടുന്ന ഒരു കാലം ഈ തിരുവിതാംകൂറിൽ ഉണ്ടാകാം, ഉണ്ടാകുമ്പോൾ അങ്ങിനെയുള്ള ഒരു കമ്മിററിക്കു വിട്ടുകൊടുക്കുന്നതിനു പൂർണ്ണമായി സമ്മതിക്കാം.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : ഇതിനെസംബന്ധിച്ച കൗൺസിൽചെയ്യുന്ന തീരുമാനം മെംബർ അംഗീകരിക്കാൻ തയ്യാറുണ്ടൊ?

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): മെംബർ അംഗീകരിച്ചില്ലെങ്കിലും റൂൾസനുസരിച്ച കൌൺസിൽ അംഗീകരിച്ചതായിട്ടുവേണം വിചാരിക്കാൻ. കൗൺസിൽ തീരുമാനത്തിനു അവസാന തീരുമാനം ഗവൺമെൻറാണു ചെയ്യേണ്ടതു്. ഈ വർഗ്ഗീയമായ കാര്യങ്ങളെപ്പററി ഞാൻ കൌൺസിൽ മാത്രമായി ഗവൺമെൻറിനോടാണു് ഉൽബോധിപ്പിക്കുന്നതു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : അല്ലാതെ ഈ സഭയോടല്ല?

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*); ഈ സഭയെ ഉൽബോധിപ്പിച്ചാലും അതിനുമേൽ പരമാധികാരം ഗവൺമെൻറിനാണുള്ളതു് എന്നും എനിക്കറിയാം.

മെംബർമാരിൽ അനേകംപേർ ഈ തത്വത്തെ സ്വീകരിക്കുന്നു. ഗവൺമെൻറു തന്നെയും ഈ തത്വം സ്വീകരിച്ചിട്ടുണ്ടു്. ഈ അസ്വാസ്ഥ്യത്തെ പരിഹരിക്കേണ്ടതു ഗവൺമെൻറിൻെറ കടമയുമാണു്.

ചീഫ്സെക്രിട്ടറി അവർകൾ ഉദാഹരണമായി എഡ്യൂക്കേഷൻ ഡിപ്പാർട്ടുമെൻറിനെ പ്രത്യേകം എടുത്തു് അതിൽ പ്രത്യേകം യോഗ്യതയുള്ളവരെ മാത്രമെ നിയമിക്കാൻ പാടൊള്ളു എന്നുപറഞ്ഞു. അതു പരമാർത്ഥമാണ്എന്നു് അനുഭവത്തിൽവരുന്നില്ല. ഈ കൌൺസിലിൽ ഒന്നാമത്തെദിവസം മൂന്നാമത്തെ ചോദ്യത്തിനു പറഞ്ഞ മറുപടിയിൽ ഇംഗ്ലീഷ്മിഡിൽസ്കൂളുകളിലും ഹൈസ്കൂളുകളിലും ആകെ ൫൧൭ അദ്ധ്യാപകന്മാരുള്ളതിൽ ൩൩൭ തമിഴ്ബ്രാഹ്മണരും ൧൧൭ നായന്മാരും മററു ൧൭ വിഭാഗങ്ങളിൽ നിന്നായിട്ടു് ൭൪ പേരുമാണു് അദ്ധ്യാപകന്മാരായി ഉള്ളതു് എന്നു കാണാം. ഗവൺമെൻറു കഴിഞ്ഞ പത്തുവർഷമായി അസമത്വം പരിഹരിക്കുന്നുണ്ടെന്നു പറഞ്ഞതിൻെറ ഫലമാണിതു്. ഗവൺമെൻറു അംഗീകരിച്ചിരിക്കുന്ന തത്വത്തിനു വിപരീതമായി പ്രവർത്തിക്കുന്ന അധികാരികളെ ഗവൺമെൻറ് എന്തുചെയ്യും? എഡ്യൂക്കേഷൻ കോടനുസരിച്ച സാധാരണ വിദ്യാഭ്യാസമുള്ളവരെ അദ്ധ്യാപകന്മാരായി നിയമിക്കാം. ഇപ്പോഴും ആ കോഡു ഊർജ്ജിതത്തിൽതന്നെയാണു് ഇരിക്കുന്നതു്.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): ഈ നിയമനങ്ങളെല്ലാം എന്നു നടത്തിയതാണ്?

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): അതു ഗവണ്മെൻറുതന്നെപറയണം. എനിക്കു തന്നിട്ടുള്ള പട്ടികയിൽ ഉള്ളതു ഞാൻ പറയുകയാണ്?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): ഈ തത്വം ഗവണ്മെൻറു സ്വീകരിച്ചതിൽപിന്നീടാണൊ ഈ നിയമനങ്ങളെല്ലാം നടന്നതു്?

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): അതെനിക്കറിഞ്ഞുകൂട. ഗവർമെൻറിനോടു ചോദിച്ചറിയേണ്ടതാണ്.

മററു സമുദായക്കാരെ നിയമിച്ചുകഴിഞ്ഞശേഷം അസമത്വസമുദായക്കാരെ നിയമിക്കാമെന്നാണെങ്കിൽ ഇനി എന്നാണ് ഈ സങ്കടത്തിനു പരിഹാരമുണ്ടാകാൻ പോകുന്നതു്? ഇതു നിയമനാധികാരികൾ ശ്രദ്ധയോടുകൂടി നോക്കേണ്ടതാണ്. അവർ നോക്കിയില്ലെങ്കിൽ ഗവണ്മെൻറു നോക്കേണ്ടതാണ്. വിദ്യാഭ്യാസഡിപ്പാർട്ടുമെൻറിൽതന്നെ പല നിയമനങ്ങളും നടക്കുന്നുണ്ടു്. ആണ്ടുതോറും ഏതാനും അദ്ധ്യാപകന്മാരെ ട്രയിനിങ്ങിന് അയയ്ക്കുന്നു. അതുവഴിയും ഒഴിവുകൾ വരുന്നുണ്ടു്.

ഉദ്യോഗദാനവിഷയത്തിൽ പ്രാഥമ്യം അസമത്വസമുദായക്കാർക്ക് അതിനു കല്പിച്ചിട്ടുള്ള യോഗ്യതയുണ്ടെങ്കിൽ കൊടുക്കണം. അതിപ്പോൾ ചെയ്യുന്നില്ല. അതുകൊണ്ടു ഗവണ്മെൻറ് ഏതുപ്രകാരത്തിലാണ് ഇതിന് ഒരു പരിഹാരമുണ്ടാക്കുന്നതെന്നു പറയാത്തപക്ഷം, വർഗീയമായ കാര്യങ്ങളിൽ കൂടുതൽ ശ്രദ്ധ പതിക്കേണ്ട ആവശ്യമുണ്ടെന്നു കാണിക്കുന്നതിനുവേണ്ടി എൻെറ പ്രമേയം വോട്ടിനിടാൻ ഞാൻ അപേക്ഷിക്കുന്നു.

അവസാനമായിട്ട് എനിക്കു പറയാനുള്ളതു വർഗ്ഗീയമായ കാര്യങ്ങൾ നിസ്സാരമാണെന്നും ഉദരപൂരണത്തിനുവേണ്ടി പറയുന്നതാണെന്നും ചിലർ പറയുകയുണ്ടായി എന്നതിനെ പരാമർശിച്ചാണ്. ഇംഗ്ളണ്ടിൽ റൌണ്ടു ടേബിൾകാൺഫ്റൻസിൽ സന്നിഹിതനായിരിക്കുന്ന മി. ജിന്ന മഹമ്മദീയരുടെ അവകാശങ്ങളെപ്പററി വാദിച്ചിരിക്കുന്നതു് ഇങ്ങനെയാണ്.

"നവീനഭരണഘടനയിൽ മഹമ്മദീയർക്ക് ഇതരസമുദായങ്ങളോടൊപ്പം, ഗവണ്മെൻറുസർവീസിലെ എല്ലാശാഖകളിലും ജനസംഖ്യയ്ക്കനുസരിച്ച ന്യായമായ പ്രാതിനിധ്യം ഉണ്ടായിരിക്കത്തക്കവണ്ണം വ്യവസ്ഥചെയ്യണം"

ഇതാണ് ഇന്ന പരിഷ്കൃതരാജ്യക്കാരുടെ വാദവും. അതുകൊണ്ടു ഗവണ്മെൻറ് ഇതിന് ഒരു ന്യായമായ തീരുമാനം ഉണ്ടാക്കിത്തരാത്തപക്ഷം ഈ പ്രമേയം വോട്ടിനിടണമെന്ന പറയുകയല്ലാതെ നിവൃത്തിയില്ല. ഗവണ്മെൻറുസൈഡിൽ ഉള്ള ഉദ്യോഗസ്ഥന്മാർ ഗവണ്മെൻറു നിർബന്ധിക്കാത്തപക്ഷം അവരുടേയും യഥാർത്ഥമായ മനസ്ഥിതി പ്രകാശിപ്പിക്കട്ടെ.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): മി. ജിന്നായുടെ അഭിപ്രായം എന്ന പറഞ്ഞതു കാൺഫറൻസിൻെറ പൊതുവായ അഭിപ്രായമാണൊ, അതല്ല മി. ജിന്നായുടെ അഭിപ്രായം മാത്രമാണൊ?

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): മി. ജിന്നാമഹമ്മദീയസമുദായപ്രതിനിധിയാണ്. അദ്ദേഹം മഹമ്മദീയസമുദായത്തിനുവേണ്ടി വാദിക്കുന്നതായിട്ടാണു ഞാൻ വിചാരിക്കുന്നതു്. എൻെറ പ്രമേയത്തിൽ ഞാൻ, ഞാനുൾപ്പെട്ട സമുദായത്തെപ്പററി പ്രത്യേകം പറഞ്ഞിട്ടില്ല. ഈ വ്യത്യാസം പ്രത്യേകം ഗണിക്കേണ്ടതും തന്നെ. ഇതിന് ഒരു തീരുമാനം ഇപ്പോൾ ഉണ്ടായില്ലെങ്കിൽ ജനസമുദായം നിലനിൽക്കുന്നിടത്തോളം കാലം, ഈ രാജ്യം നിലനിൽക്കുന്നിടത്തോളംകാലം, സമുദായങ്ങളുടെ അവകാശം ന്യായമായിരിക്കുന്നിടത്തോളം കാലം, ഈ സങ്കടത്തിന് ഒരു പരിഹാരമുണ്ടാക്കാൻ സന്തതിപരമ്പരകൾ തുടന്ന പ്രവർത്തിച്ചു കൊള്ളും എന്ന ഞാൻ വിശ്വസിക്കുന്നു. അതുകൊണ്ടു് ഇപ്പോൾ പറയുന്ന തോൽവിയെപ്പററി ഞാൻ കേവലം വിചാരിക്കുന്നില്ല. ഭാവിയെപ്പററി എനിക്കു ദൃഢനിശ്ചയമാണുള്ളതു്.

MR. K. GEORGE (*Chief Secretary to Government*): Sir, I have very little to add to what I have already stated.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): മലയാളത്തിൽ പറഞ്ഞാൽ കൊള്ളാം.

MR. K. GEORGE (*Chief Secretary to Government*): I think, I will speak in English, Sir.

Sir, as I have already stated, I have very little to add to what I said this morning. The resolution, in its original form, lays down a principle and advocates a method.

The amendment of Mr. L. R. Raja Raja Varma Koiltampuran advocates a method. Already, in the morning, I have opposed both the original resolution and the resolution in its amended form, and I have explained why in its present form, Government are unable to accept the resolution. I do not think there is any need to dilate further upon the

[Mr. K George.]

attitude of Government. As I said Government admit that there is to some extent a geunine grievance on the part of certain communities.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): മിസ്റ്റർ ആർ. കേശവപിള്ള പറഞ്ഞതു പോലെ ഒരു കമ്മിററിക്കയെച്ച് കൊടുക്കുകയൊ അല്ലെങ്കിൽ ഇപ്പോഴത്തെ രൂളിനെ ഒന്നു ഭേദപ്പെടുത്തുകയൊ ചെയ്യുന്നതു കൊണ്ടു വിരോധമുണ്ടോ?

MR. K. GEORCE (*Chief Secretary to Government*): The appointment of a committee, to consider the principles and methods of recruitment, is one of the suggestions that have now been put forward before this House. Government's own position in the matter is that they propose to tighten the control, that they now exercise over the Heads of Departments and other appointing authorities, by obtaining from them, periodical returns of appointments, and scrutinising them in the Secretariat.

MR. P. S. MAHOMED (*Nominated*): ഇവരിൽ ഓരോരുത്തരുടേയും അവകാശം ഇന്നതാണെന്നു ഗവണ്മെൻറു ഓരോ ഡിപ്പാർട്ടുമെൻറദ്ധ്യക്ഷന്മാരേയും അറിയിക്കുമൊ?

MR. K. GEORGE (*Chief Secretary to Government*): The policy of Government in this matter has been intimated to the Heads of Departments by means of Circulars. These Circulars are in force even to-day and the discussion that has taken place in this House will be another way by which the Heads of Departments will understand the policy of Government and the views of the representatives of the people. Therefore, when the returns of appointments are received from the appointing authorities and carefully scrutinised in the Secretariat, the control of Government over the appointing authorities will be tightened; and then I expect that, to a great extent, the grievances complained of will be remedied.

The other measure that was suggested was the appointment of a committee to go into the whole question. That suggestion will also be one of the matters for the consideration of Government in the solution of this problem. I cannot guarantee at the present moment that Government will *accept* that proposal. Certainly, that will be *one* of the means of solving the problems which the Government will consider; whether it would be suitable or not must be left to Government to decide.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): ഉദ്യോഗവിതരണം ഇന്നവിധത്തിൽ വേണമെന്നു വ്യവസ്ഥപ്പെടുത്തുന്നതിനു ഗവണ്മെൻറു ഒരു ജി. ഒ. പുറപ്പെടുവിക്കുമൊ?

MR. K. GEORGE (*Chief Secretary to Government*) : The intention of the Government is to give preference as far as possible to the unrepresented communities. That has already been explained. But, Government cannot, at this moment, undertake to lay down a mathematical proportion to be followed in the matter of appointments. I am unable to give an undertaking to that effect.

MR. R. KESAVA PILLAI (*Kottakarakara* cum *Kunnathur*) : May I know whether preference is now being given to unrepresented communities ?

MR. K. GEORGE (*Chief Secretary to Government*); To some extent, we *do* give preference to the unrepresented communities.

I do not think I need detain the House any longer. As I said, Government are in sympathy with the principle underlying the resolution, namely, that there is grievance on the part of certain communities and that steps should be taken to give adequate representation in public service to the unrepresented communities. As I have already said one of the means, of giving effect to the policy of Government in the matter, which the Government immediately propose to adopt is to tighten the control over the appointing authorities by obtaining from them periodical returns of appointments and carefully scrutinising them in the Secretariat. Government will also consider the discussion that has taken place in this House. The final decision will wait until we see the result of the proposed tightening of the control over the Heads of Departments.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*) : ഗവണ്മെൻറു ഒരു ജി. ഒ. പുറപ്പെടുവിക്കാമെന്നു മറുപടി പറഞ്ഞു. അതു ഒരു കമ്മിററിയുടെ ആലോചനയോടുകൂടി പുറപ്പെടുവിക്കാൻ തയ്യാറുണ്ടോ?.

MR. K. GEORGE (*Chief Secretary to Government*) : I have not undertaken that a G. O. will be issued. I have promised that Government will tighten their control over the appointing authorities.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ഇതു് ഒരു വിഷമം പിടിച്ചസംഗതിയാണ്. ഇതിന് ഒരുപദ്ധതി ഏർപ്പെടുത്തണമെന്നാണ്എല്ലാവരും പറഞ്ഞതു്. ഗവണ്മെൻറും അനുസമ്മതിച്ചു. ആ സ്ഥിതിക്കു ഗവണ്മെൻറു തന്നെ നിശ്ചയിക്കുന്ന ഒരു കമ്മിററിയുടെ പര്യാലോചനയിൽ വെച്ചുരണ്ടോ നാലോ മാസംകൊണ്ടു് അവരുടെ അഭിപ്രായം വരുത്തി നിവൃത്തിമാർഗ്ഗം കണ്ടുപിടിച്ചു സുസ്ഥിരമായ വ്യവസ്ഥചെയ്യരുതോ ?

MR. K. GEORGE (*Chief Secretary to Government*) : As I said, that is *one* of the suggestions for remedying the present discontent. That suggestion also will be considered, and necessary action taken.

PRESIDENT : Now, we have before the House a resolution and two distinct amendments. As I have already indicated, the resolution onsists of three parts. As to one of them, both the mover and the

[President.]

seconder of the resolution and the movers of the two amendments are agreed, and that is, with respect to the necessity of issuing a notification or advertisement and inviting applications whenever vacancies occur. With respect to that, I find there is a dissentient voice raised in the House now. As such, it is necessary to take votes upon that point alone first.

Then, we have to take up the amendments. So far as the amendments are concerned, one of them is in direct contravention of the proposals of the mover contained in the resolution itself; and that is, the appointment of a Staff Selection Board. That is virtually against what the mover of the resolution wants.

The second amendment will be taken up for consideration next.

Then, although the mover and the seconder of the resolution accepted what the mover and the seconder of the first amendment wanted, namely, to adopt the principle laid down in the resolution as regards the reservation of all the appointments to be made during the next five years for the unrepresented communities alone. In the first amendment it is desired that fifty per cent of the vacancies must be filled up on that basis and in respect of the remaining fifty per cent of the vacancies, with respect to that moiety, the principle now adopted in Madras should be followed. So, that is the third amendment, or rather, a third *'resolution'* that is now before the House, if it can legitimately be styled a *'resolution'*.

So, I would proceed to take votes, first with reference to the first part of the resolution regarding the advertisement of vacancies. Secondly, I propose to take votes on Mr. Raja Raja Varma's amendment regarding the appointment of a Staff Selection Board. Thirdly, I would take votes as regards Mr. Ittoop Itteechan's amendment, namely, the following of the principles laid down in the resolution with respect to fifty per cent of the vacancies and the adoption of the mode now in vogue in Madras as regards the remaining moiety.

And then, the resolution itself has not been withdrawn, I propose to take votes on the main resolution also, by itself.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): The question of giving *promotions* according to the principle of communal representation is quite distinct from the question of making *initial appointments* according to that principle. Do you propose, Sir, to take votes on that question separately?

PRESIDENT: From the nature of the discussion, I should understand that the intention of the mover is to adopt the principle contained in the resolution not only with reference to *initial appointments* but also with reference to *promotions*. The mover of the resolution makes no distinction between *initial appointments* and *promotions* in his resolution.

I would now put to vote the first portion of the resolution, that is the portion regarding the need for advertising and inviting applications whenever vacancies occur.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): Permanent or temporary vacancies?

PRESIDENT: Louder, please.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): Permanent or temporary vacancies?

PRESIDENT: No such distinction seems to have been made in the resolution. As such, it must be taken that, whether the vacancies are temporary or permanent, the persons responsible for the resolution or the amendment, require that advertisements should be made in respect of *all* vacancies.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): I should like to know the part of the resolution now to be put to vote?

PRESIDENT: The question first to be put to vote is that:

"in regard to appointments to be made in the various departments and grades of the Travancore Public Service, a notification should be published inviting applications when vacancies occur in any department."

That will be the first part to be voted upon.

That part of the resolution was then put to vote and lost.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*); I demand a poll.

A poll was taken and the House divided as follows:

AYES—12.

1 Mr. V. Chellam Pillai
2 ,, D. Francis
3 ,, Ittoop Itteechan
4 ,, D. C. Joseph
5 ,, K. C. Karunakaran
6 ,, Tamarapallil Kochu Tomman
7 Mr. N. R. Krishnan
8 ,, Tariatu Kunjitomman
9 ,, A. C. Kuriakose
10 ,, P. S. Mahomed
11 ,, Matthew Murikkan
12 ,, L. R. Raja Raja Varma Koil Tampuran

NOES—21.

1 Mr. L. A. Bhishop
2 ,, I. C. Chacko
3 ,, R. Dhanukoti Pillai
4 ,, K. George
5 ,, P. Gomatinayakam Pillai
6 Mrs. Elizabeth Kuruvila
7 Mr. A. G. Menon
8 ,, T. C. Kesava Pillai
9 Rao Bahadur K. A. Krishna Aiyangar
10 Mr. P. N. Krishna Pillai
11 Rao Sahib Dr. N. Kunjan Pillai
12 Mr. K. Madhavan Pillai
13 ,, T. K. Madhavan Nayar
14 ,, E. G. McAlpine
15 ,, R. Nilakanta Pillai
16 ,, Kayalam Paramesvaran Pillai
17 Dr. K. Raman Tampi
18 Mr. Revati Nal Rama Varma Raja
19 ,, S. C. H. Robinson
20 ,, R. Vaidyalingom Pillai
21 ,, J. S. Westerdale

NEUTRALS—13.

1 Mr. A. S. Damodaran Asan
2 ,, K. N. Kesavan Namputiripad
3 ,, R. Kesava Pillai
4 ,, N. K. Krishna Pillai
5 ,, V. S. Krishna Pillai
6 ,, H. B. Mahomed Rowther
7 ,, G. P. Nilakanta Pillai
8 Mr. K. P. Nilakanta Pillai
9 ,, Muruvelil Pachu Pillai
10 ,, K. Padmanabha Panikkar
11 ,, K. G. Paramesvaran Pillai
12 ,, R. Raman Pillai
13 ,, A. Thanu Pillai

The first part of the resolution was declared lost.

PRESIDENT : We will take up the second amendment that is, of Mr. L. R. Raja Raja Varma's amendment, in the order I have indicated.

Those who are for that, please raise their hands.

It was found, there was, 4 *for* and 31 *against*.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*) : I demand a poll.

A poll was taken with the following result.

AYES—4.

1 Mr. T. C. Kesava Pillai
2 ,, Muruvelil Pachu Pillai
3 Mr. L. R. Raja Raja Varma Koil Tampuran
4 ,, Revati Nal Rama Varma Raja

NOES—34.

1 Mr. L. A. Bishop
2 ,, I. C. Chacko
3 ,, R. Dahanukoti Pillai
4 ,, K. George
5 ,, P. Gomatinayakam Pillai
6 ,, D. Francis
7 ,, Ittoop Itteechan
8 ,, D. C. Joseph
9 ,, K. C. Karunakaran
10 ,, K. N. Kesavan Namputiripad
11 ,, R. Kesava Pillai
12 ,, Tamarapallil Kochu Tomman
13 Rao Bahadur K. A. Krishna Aiyangar
14 Mr. N. K. Krishna Pillai
15 ,, N. R. Krishnan
16 ,, P. N. Krishna Pillai
17 Rao Sahib Dr. N. Kunjan Pillai
18 Mr. Tariatu Kunjitomman
19 ,, A. C. Kuriakose
20 ,, K. Madhavan Pillai
21 ,, T. K. Madhavan Nayar
22 ,, P. S. Mahomed
23 ,, Matthew Murikkan
24 ,, E. G. McAlpine
25 ,, G. P. Nilakanta Pillai
26 ,, K. P. Nilakanta Pillai
27 ,, R. Nilakanta Pillai
28 ,, K. Padmanabha Panikkar
29 ,, Kayalam Paramesvaran Pillai.
30 ,, K. G. Paramesvaran Pillai
31 Dr. K. Raman Tampi
32 Mr. S. C. H. Robinson
33 ,, R. Vaidyalingom Pillai
34 ,, J. S. Westerdale

NEUTRALS—8.

1 Mr. V. Chellam Pillai
2 „ A. S. Damodaran Asan
3 Mrs. Elizabeth Kuruvila
4 Mr. A. G. Menon
5 Mr. V. S. Krishna Pillai
6 „ H. B. Mahomed Rowther
7 „ R. Raman Pillai
8 „ A. Thanu Pillai

PRESIDENT: The amendment is lost.

The next amendment is the one moved by Mr. Ittoop Itteechan.

Those who are for that, please raise their hands.
There were 1 *for* and 29 *against*.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I demand a poll.

A Poll was taken with the following result :

AYES—10.

1 Mr. V. Chellam Pillai
2 „ D. Francis
3 „ Ittoop Itteechan
4 „ D. C. Joseph
5 „ Tamarapallil Kochutomman
6 Mr. N. R. Krishnan
7 „ Tariatu Kunjitomman
8 „ A. C. Kuriakose
9 „ P. S. Mahomed
10 „ Matthew Murikkan

NOES—29.

1 Mr. L. A. Bishop
2 „ I. C. Chacko
3 „ A. S. Damodaran Asan
4 „ R. Dhanukoti Pillai
5 „ K. George
6 „ P. Gomatinayakam Pillai
7 Mrs. Elizabeth Kuruvila
8 Mr. A. G. Menon
9 „ K. N. Kesavan Namputiripad
10 Rao Bahadur K. A. Krishna Aiyangar
11 Mr. N. K. Krishna Pillai
12 „ P. N. Krishna Pillai
13 „ V. S. Krishna Pillai
14 Rao Sahib Dr. N. Kunjan Pillai
15 Mr. K. Madhavan Pillai
16 Mr. T. K. Madhavan Nayar
17 „ H. B. Mahomed Rowther
18 „ E. G. McAlpine
19 „ R. Nilakanta Pillai
20 „ K. Padmanabha Panikkar
21 „ Kayalam Paramesvaran Pillai
22 „ K. G. Paramesvaran Pillai
23 „ L. R. Raja Raja Varma Koil Tampuran
24 Dr. K. Raman Tampi
25 Mr. Revati Nal Rama Varma Raja
26 „ S. C. H. Robinson
27 „ A. Thanu Pillai
28 „ R. Vaidyalingom Pillai
29 „ J. S. Westerdale

NEUTRALS—7.

1 Mr. K. C. Karunakaran
2 „ R. Kesava Pillai
3 „ T. C. Kesava Pillai
4 „ G. P. Nilakanta Pillai
5 Mr. K. P. Nilakanta Pillai
6 „ Muruvelil Pachu Pillai
7 „ R. Raman Pillai

PRESIDENT : The amendment is lost.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): മിസ്റ്റർ ഇട്ടിയച്ചൻെറ അമൻറുമെൻറാടുകൂടിയാണ് എൻെറ പ്രമേയം അവസാനത്തിൽ ആലോചനയ്ക്കുവന്നത്. ആ ഭേദഗതി തള്ളിപ്പോയ സ്ഥിതിക്കു പ്രമേയം വോട്ടിനിടണമെന്നു എനിക്കു പക്ഷമില്ല.

PRESIDENT: പ്രമേയം നിങ്ങൾ പിൻവലിച്ചിട്ടില്ല. ആ സ്ഥിതിക്കു അതു കൌൺസിലിൻെറ മുമ്പെ ഇരിക്കുന്നതായിട്ടു വേണം വിചാരിക്കാൻ.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): പ്രമേയം പിൻവലിക്കുന്നോ എന്നൊരു ചോദ്യം ഉണ്ടായിട്ടുമില്ല. പ്രമേയത്തിൻെറ ആദ്യഭാഗം വോട്ടിനിടുകയാണ് ചെയ്തത്.

PRESIDENT: റസല്യൂഷൻ പിൻവലിക്കാഞ്ഞ സ്ഥിതിക്കു അതും ഈ സഭയുടെ മുമ്പാകെ ഇരിക്കുന്നു എന്നു വേണം വിചാരിക്കാൻ. അതു കൊണ്ടാണ് ഞാൻ പ്രമേയത്തിൻെറ ആദ്യഭാഗം വോട്ടിനിട്ടത്. ആ സ്ഥിതിക്കു ഈ പ്രമേയവും വോട്ടിനിടേണ്ടതാണ്.

MR. MATTHEW MURIKKAN (*Vaikam*) : He could have asked permission for withdrawing the motion.

MR. MURUVELIL PACHU PILLAI (*Shertallai*) : I rise to a point of order.

PRESIDENT : Mr. Kuriakose could have asked for the withdrawal of the resolution earlier when some of the members wanted a specific pronouncement as to what the resolution is before the House. A question of order was also raised and my ruling invited. It was then that I said it was better we dealt the resolution as well as the amendments, separately. I have given the ruling already. As such the resolution has to be put to vote.

Those who are for the resolution will please raise their hands.

On counting, there were 9 *for* and 31 *against*.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : I demand a poll.

A poll was taken with the following result.

AYES—9.

1	Mr. D. Francis	6	Mr. Tariatu Kunjitomman
2	,, Ittoop Itteechan	7	,, A. C. Kuriakose
3	,, D. C. Joseph	8	,, K. P. Nilakanta Pillai
4	,, Tamarapallil Kochu Tomman	9	,, K. Padmanabha Panikkar
5	,, N. R. Krishnan		

NOES—31.

1 Mr. L. A. Bishop
2 „ I. C. Chacko
3 „ V. Chellam Pillai
4 „ A. S. Damodaran Asan
5 „ R. Dhanukoti Pillai
6 „ K. George
7 „ P. Gomatinayakam Pillai
8 Mrs. Elizabeth Kuruvila
9 Mr. A. G. Menon
10 „ K. C. Karunakaran
11 „ K. N. Kesavan Namputiripad
12 Rao Bahadur K. A. Krishna Aiyangar
13 Mr. N. K. Krishna Pillai
14 „ P. N. Krishna Pillai
15 „ V. S. Krishna Pillai
16 Rao Sahib Dr. N. Kunjan Pillai
17 Mr. K. Madhavan Pillai
18 „ T. K. Madhavan Nayar
19 „ H. B. Mahomed Rowther
20 „ E. G. McAlpine
21 „ R. Nilakanta Pillai
22 „ Kayalam Paramesvaran Pillai
23 „ K.G. Paramesvaran Pillai
24 „ L. R. Raja Raja Varma Koil Tampuran
25 Dr. K. Raman Tampi
26 Mr. R. Raman Pillai
27 „ Revati Nal Rama Varma Raja
28 Mr. S. C. H. Robinson
29 „ A. Thanu Pillai
30 „ R. Vaidyalingom Pillai
31 „ J. S. Westerdale

NEUTRALS—6.

1 Mr. R. Kesava Pillai
2 „ T. C. Kesava Pillai
3 „ P. S. Mahomed
4 Mr. Matthew Murikkan
5 „ G. P. Nilakanta Pillai
6 „ Muruvelil Pachu Pillai

PRESIDENT: So, the resolution is lost.

I do not know whether there is time for us to take up the next resolution because there is the adjournment motion which has to be taken up at 3-30 precisely. We have barely 4 minutes more for it.

Mr. Asan, would you like to move it and then start the discussion afterwards?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) I am not particular about it.

PRESIDENT: If you are not very particular, it need not be taken. You may know that you have a right to insist on your resolution being moved and the discussion continued. I will allow you to have your say on the matter.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I will not be able to speak within such a short time and I am not very particular of moving it *now*.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): If this Council is adjourned, now, the resolution will not lapse.

PRESIDENT: There is no prorogation of the Council now.

[President]

Adjournment motion re Sale of immovable properties for arrears of revenue.

The adjournment motion that I have fixed for discussion today is that put in by Mr. T. C. Kesava Pillai. He wants to discuss a matter of public importance, regarding the recent measure adopted by Government in the matter of collection of revenue by the sale of immovable property and the grievance caused thereby to the public.

MR. T C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): സർ, ൲൱൬ അക്ടോബർ ൰൨-ാംനു-യിലെ ൲൩൦൨-ാം നമ്പർ ഗവണ്മെൻറുത്തരവു നിമിത്തം തിരുവിതാംകൂറിലെ പൊതുജനങ്ങൾക്കുണ്ടായിട്ടുള്ള സങ്കടങ്ങളെ ഈ സഭ മുമ്പാകെ അറിയിച്ചു അതിനു ഒരു നിവൃത്തിമാർഗ്ഗം ഉണ്ടാക്കുന്നതിനു വേണ്ടിയാണ് ഞാൻ ഈ അടിയന്തിരപ്രമേയം ഇവിടെ അവതരിപ്പിച്ചിട്ടുള്ളതു്. ആ ഗവണ്മെൻറുത്തരവു് ഇതാണ്.

"When a portion of a registered land in a pakuthi is sold for arrears of tax due thereon under Section 82 of the Revenue Recovery Regulation and no bidders are forthcoming a larger extent of the land should be notified for sale again etc. etc.'

ഇതാണ് ൲൱൬ അക്ടോബർ ൰൨-ാംനു-യിലെ ജി. ഒ. ൲൰൯൯- അക്ടോബർ ൩൦-ാംനു- ൲൪൪൯-ാം നമ്പർ ജി. ഒ. ഇപ്രകാരമാണ്.

" In G. O. No. 4461 L. R., dated the 1st June 1919 the Government directed that in cases where registered lands were put up to auction for arrears of tax under the Revenue Recovery Regulation and where no bidders were forthcoming, the procedure to be adopted was to bid the land for the Sirkar for a nominal value of one chackram, credit the purchase money of one chackram out of taluk contingencies towards part payment of the dues, write off the arrears minus the amount of the purchase money with the previous sanction of Government and record the land as tharisu. The above procedure was subsequently made applicable to sales under the Regulation for the recovery of arrears due to the Sreepandaravagai and the Kandukrishi departments as also the Sreepadom Estate (Vide G. O. dated the 30th October 1923)"

ഈ ജി. ഒ. വിൽ തന്നെ ഒരു തെററു വന്നിട്ടുണ്ടു്. നമ്മുടെ ബഹുമാനപ്പെട്ട റവന്യൂ കമ്മീഷണർ അദ്ദേഹത്തിൻെറ വില ഏറിയ സമയത്തെ നിഷ്കളങ്കമായും പരിപൂർണ്ണമായും ചിലവു ചെയ്തു ആ ഡിപ്പാർട്ടുമെൻറിലെ കുഴപ്പങ്ങളെല്ലാം തീർത്തു വളരെ നന്മകൾ എല്ലാം ചെയ്തിട്ടുണ്ടു്. ആ കൂട്ടത്തിൽ ഒടുവിൽ ഈ ജി. ഒ. നിമിത്തം ഒരു തിന്മവന്നതിൽ അദ്ദേഹത്തെ കുററപ്പെടുത്താനില്ല. ഈ തെററു തിരുത്തുന്നതിൽ വലിയ തടസ്ഥമൊന്നുമില്ല.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) ഈ തെററു വന്നതു അദ്ദേഹത്തിൻെറ കുററമാണോ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): അദ്ദേഹത്തിൻെറയും അദ്ദേഹത്തിൻെറ സ്റ്റാഫിൻെറയും കുററമാണ്.

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): അതു തെററ എന്താണെന്നു വ്യക്തപ്പെടുത്തി പറഞ്ഞാൽ കൊള്ളാം?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): തെററുവന്നഭാഗം വായിക്കാം.

"The Land Revenue Commissioner has now brought to notice that the spirit of the first mentioned G. O. is not properly understood in the Kunnattur taluk. The procedure followed in this taluk is that when the tax on more than one survey number belonging to a single defaulter is in arrears, a portion of a particular survey number is sold in auction and if there are no bidders, the full extent of the land attached is bought in on behalf of the Sirkar for a nominal value of one chackram and a recommendation is made immediately to the Dewan Peishkar to remit the whole amount of the arrears without making any further attempt to recover the dues from the other properties of the defaulter. Mr. Robinson is of opinion that the procedure adopted is not correct and that the remission of the irrecoverable balance should be recommended only as a last resort after bringing to sale all lands attached and after being convinced that the defaulter possesses no other moveables or immovables in any part of the State which could be sold for the recovery of the balance amount due from him. He has also forwarded a set of revised instructions to be issued in the matter."

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): ഇതിൽ First mentioned G. O. ഏതാണെന്നു പറയാമോ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ൲൯൩ ലെ ൲൪൪൯-ാം നമ്പർ ജി. ഒ.

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): അതുതെററാണ്. ൲൯൲൯-ലെ ജി. ഒ. ആണ്. ഒന്നു തെററിയാൽ സകലതും തെററും.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ഗവണ്മെൻറുഭാഗത്തു തെററി പോയി എന്നാണ് ഞാൻ പറയുന്നത്.

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): ഗവണ്മെൻറു ഭാഗത്തിനു തെററിയിട്ടില്ല. മെംബർക്കു തെററി എന്നു പറഞ്ഞതേയുള്ളു.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): മുമ്പിലത്തെ ജി. ഒ. എങ്ങിനെയിരുന്നാലും ൲൯൩൦ അക്ടോബറിലെ ജി. ഒ. കൊണ്ടല്ലേ സങ്കടമുണ്ടായിട്ടുള്ളതു്?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): അതെ. ഇപ്പോൾ ഞാൻ മൂന്നു ജി. ഒ. സഭമുമ്പാകെ വായിച്ചു കേൾപ്പിച്ചുകഴിഞ്ഞു. ഇതിൽ ഏററവും സങ്കടമുള്ളതാണ് ൲൯൩൦-ലെ ജി. ഒ.

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): ആ ജി. ഒ. നിമിത്തം എന്താണ് സങ്കടമുള്ളതെന്നു പറഞ്ഞില്ല.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): The member seems to be impatient.

PRESIDENT: He only wants to know what you are at. Probably, he is impatient to know what your statement is.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): He cannot be otherwise because there is an error?

PRESIDENT: You may continue your speech Mr. Kesava Pillai.

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): മെംബർ പിന്നെയും പിന്നെയും 'എറർ' എന്നു പറയുന്നുണ്ട്. ആ എറർ ഇന്നതാണെന്നു ഇതുവരെ പറഞ്ഞില്ല.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): ലാൻഡ് റവന്യൂമാനവൽ ആറാംവാല്യം ഫ വ്യ ൭, ൨ ൨ ൧, ൨ ൭ ഫ, ൩ ൩ ൩, ൩ ൧ ൨, ൩ ൧ ൻ, ൭ ൨ ൪, ൭ ൭ വ്യ, ൭ ൭ ൧ ഈ വശങ്ങളിൽനിന്നും അനേകം സംഗതികൾ പഠിക്കാവുന്നതാണ്. അതായതു് ഫ ൦ ൦ ൦ - മാണ്ടേയ്ക്കുമുമ്പു പല സമുദായക്കാരേയും ഭൂസ്വാതന്ത്ര്യപ്പെട്ടവരേയും പല രീതിയിലുള്ള കരം ചുമത്തി ഉപദ്രവിച്ചുവന്നിരുന്നു എന്നും, അതിൽ ചിലക്കു കരം കുറച്ചുകൊടുത്തു് തിരുവെഴുത്തുവിളംബരം ഉണ്ടായിട്ടുണ്ടെന്നും കാണുന്നുണ്ട്. അതുപോലെതന്നെ ഭൂനികുതി പിരിയാതെ വന്നിട്ടുള്ളതു് പല ആവൎത്തിയും write off ചെയ്തുകൊടുത്തിട്ടുള്ളതായിട്ടും കാണുന്നുണ്ട്. മുൻകാലങ്ങളിൽ തിരുവിതാംകൂർ ഗവൺമെന്റു ജനങ്ങളുടെ രക്ഷയെ മുൻനിൎത്തി പ്രവൎത്തിച്ചുവന്നിരുന്നു എന്നുള്ളതിനു പല ലക്ഷ്യങ്ങളുമുണ്ട്. എന്നാൽ ഈ സമീപകാലത്തു ഗവൺമെന്റിന്റെ നയം ഒട്ടുംതന്നെ ശരിയായരീതിയിൽ ഉള്ളതൊന്നല്ല. ഈ കാൎയ്യം ഫൻ൩൦-ലെ ജി. ഒ. കൊണ്ടുതന്നെ അറിയാവുന്നതാണ്.

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): ഈ ജി. ഒ. റവന്യൂറിക്കവറി റഗുലേഷനെ അടിസ്ഥാനമാക്കി പുറപ്പെടുവിച്ചിട്ടുള്ളതാണെന്നു അറിയാമോ?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): അറിയാം.

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): റവന്യൂറിക്കവറി റഗുലേഷൻ ൭-ാം വകുപ്പിൽ എന്താണ് പറയുന്നതെന്നു മെംബർ വായിച്ചിട്ടുണ്ടോ?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): അതെല്ലാം വായിക്കേണ്ട ആവശ്യമില്ല.

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): ർ വ്യ-ാംവകുപ്പിൽ എന്താണ് പറയുന്നതെന്നറിയാമൊ?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): അതു മെമ്പർ പറഞ്ഞാൽമതി. മണൽപ്രദേശം, മൃഗശല്യം, മലമ്പനി മുതലായവയുള്ള പ്രദേശം ഇവിടെയെല്ലാം വസ്തുക്കളുണ്ട്. അവയെല്ലാം കരവും വച്ചിട്ടുണ്ട്. കരംഒഴിവു ചില കുടുംബങ്ങൾക്കുണ്ട്. ഇപ്രകാരമുള്ള ഭൂമിയിൽനിന്നും വിളവെടുത്തുകൊടുക്കാൻ നിവൃത്തിയില്ലാതെ ജനങ്ങൾ വളരെ സങ്കടം അനുഭവിച്ചുവരുന്നു.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ഈ സ്ഥലങ്ങളെല്ലാം പേരിൽപതിഞ്ഞ ഭൂമികളാണോ?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*) അതേ. മുൻകാലങ്ങളിൽ ഭൂമി വേണ്ടാ എന്നു പറയുന്നവരെ പിടിച്ചുനിർത്തി ഓല തലയിൽ കെട്ടിവച്ചിട്ടുള്ളതായി കേട്ടിട്ടുണ്ട്. അതുപോലെതന്നെ കരംകൊടുക്കാൻ നിവൃത്തിയില്ലാതെ പുളികുടിച്ചിട്ടുള്ളതായും, അടികൊണ്ടിട്ടുള്ളതായും കേട്ടിട്ടുണ്ട്. ഇപ്പോൾ കരം കൊടുത്തില്ലെങ്കിൽ കരക്കുടിശ്ശികയ്ക്കു ഭൂമി ലേലം ചെയ്തുവരുന്നുണ്ട്. ഉടമസ്ഥന്മാർ മിക്കവാറും വസ്തു കിടക്കുന്ന സ്ഥലത്തുനിന്നും വളരെ ദൂരെയായിരിക്കാം താമസിക്കുന്നതു്. ഒററിക്കാരൻെറ വീഴ്ചകൊണ്ടു കരക്കുടിശ്ശികയുണ്ടാകാം. പകുതി ഉദ്യോഗസ്ഥനും ഒററിക്കാരനുംകൂടി യോജിച്ചു വസ്തു ലേലത്തിലുംപോകും. ഇങ്ങനെ വസ്തു ലേലത്തിൽ വില്ക്കുമ്പോൾ പിടിക്കുന്നതിനു ആളില്ലാതെ വന്നാൽ പ്രവൃത്തികാർ ഒരു ചക്രം കണ്ടിൻജൻസിയിൽ ചിലവെഴുതി ആ വസ്തു സർക്കാരിലേക്കു പിടിച്ചു തരിശാക്കിയിടണമെന്നാണ് ഇപ്പോഴത്തെ ജി. ഒ.

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): പാർവ്വത്തികാരാണോ ലേലം സ്ഥിരപ്പെടുത്തുന്നതു്?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): അല്ലെങ്കിൽ തഹസീൽദാരോ പേഷ്കാരോ ആരെങ്കിലും ആയിക്കൊള്ളട്ടെ.

ഒരാൾക്കു മലംപ്രദേശത്തും മററു സ്ഥലങ്ങളിലും വസ്തുക്കൾ കാണും. മലംപ്രദേശത്തുള്ള വസ്തുക്കൾക്കു കരം കൊടുക്കാനുണ്ടായിരിക്കും. അവിടെ വിളവും കിട്ടുകയില്ല. അങ്ങിനെ വരുമ്പോൾ ആ വസ്തു ഉടമസ്ഥൻെറ മററു വസ്തുക്കളിൽ പ്രവേശിച്ചു കരം ഈടാക്കാമെന്നും, അയാൾ തിരുവിതാംകൂറിനകത്തു എവിടെ പോയിതാമസിച്ചാലും

[T. C. Kesava Pillai.]

ഈടാക്കേണ്ടതാണെന്നുമാണ് ഇപ്പോഴത്തെ ജി. ഒ. ഇതു് എത്രയും കഠിനമായിട്ടുള്ളതാണ്. ഇതിലേക്കു ഒരു നിവൃത്തി ഉണ്ടാക്കണമെന്നു ഞാൻ ഈ സഭമുമ്പാകെ അപേക്ഷിച്ചു കൊള്ളുന്നു.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): മലമ്പനിയും മൃഗശല്യവുമുള്ള വസ്തുക്കളുടെ സംഗതിയിൽ മാത്രം ഗവൺമെൻറു പ്രത്യേകം ശ്രദ്ധിച്ചാൽ മതിയാകുമോ?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): പൊതുവെയുള്ള സംഗതികളെപ്പററി പറയുമ്പോൾ ഈ ചില്ലറ ചോദ്യം ചോദിക്കുന്നതു ഒട്ടും ഉചിതമല്ല. (ചിരി)

അതുകൊണ്ടു ഗവൺമെൻറു പ്രൊസീഡിംഗ്സ് ചുവടെമാററണം. ൧൦൯൦-ാമാണ്ടുവരെയുള്ള കരം റവന്യൂ മാനുവലിൽ ൪-ാം വാല്യം ൯൬൫-ാം വശത്തിൽ, ഇളവുചെയ്തു കൊടുത്തതായിട്ടു കാണുന്നുണ്ടു്. അതു പോലെ ൭൨൪-ാം വശത്തു ൧൦൯൪-ാമാണ്ടു വരെയുള്ള കരം ഇളവു ചെയ്തു കൊടുത്തതായിട്ടും കാണുന്നുണ്ടു്. കരം പിരിവിനെ സംബന്ധിച്ചു ഒരു കോർട്ടു് ഏർപ്പെടുത്തിയിരുന്നതായിട്ടു് ൨൨൬-ാം വശത്തു കാണുന്നുണ്ടു്. സ്ഥാവരവസ്തുക്കളെ ജപ്തി ചെയ്യാനുള്ള അധികാരം ൪൯൬-ാം വശത്തു കാണുന്നു. ഇതെല്ലാം കൊണ്ടു ഞാൻ പറയുന്നതു് ഗവൺമെൻറിനു ഈ അന്യായമായ ലാഭം വേണ്ട എന്നു വയ്ക്കണമെന്നും സർക്കാർ ഉദ്യോഗസ്ഥന്മാർ ഒരിക്കലും വഴിതെററിപ്പോകാതെയിരിക്കുന്നതിനു ചട്ടം കെട്ടണമെന്നുമാണു. സ്ഥാവരവസ്തു ജപ്തി ചെയ്ക, ലേലംചെയ്ക, മുതലായ സംഗതികൾ തഹശീൽദാർ തന്നെ സ്ഥലത്തു പോയി നടത്തണം എന്നൊരു ആർഡർ ഉണ്ടു്. പക്ഷേ അതു മാതിരി നടത്തുന്നില്ല. പാർവത്യകാർ സ്ഥലത്തു വച്ചു ലേലം നടത്തിയതായിട്ടു റിക്കാർഡുണ്ടാകും. താലൂക്കിൽ പത്തു പതിനെട്ടു പകുതികളിലുള്ള പത്തു രണ്ടായിരം പട്ടദാരന്മാരുടെ കരകുടിശ്ശികക്കായിട്ടുള്ള വസ്തുക്കൾ, ലേലം ചെയ്തതായി രേഖ ഉണ്ടാകും. ഇപ്രകാരം പല അക്രമപ്രവൃത്തികളും കാണിക്കുന്നുണ്ടു്.

MR. R. NILAKANTA PILLAI (*Ag. Financial Secretary to Government*): ഇങ്ങനെ നടത്തിയാൽ അപ്പീൽ കൊടുക്കരുതോ?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): അപ്പീൽ കൊടുക്കാം.

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): ദുഷ്ടമായ

തുക കരം കൊടുക്കുന്നതിനു നിവൃത്തിയില്ലാത്തതുകൊണ്ടല്ലേ വസ്തുക്കൾ ലേലത്തിൽ പോകുന്നതു്? ആ സ്ഥിതിക്കു അവർക്കു അപ്പീൽ കൊടുക്കാൻ സാധിക്കുമോ?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): തീർച്ചയായും സാധിക്കുകയില്ല. കരംകൊടുക്കാനുള്ള തീയതി അറിഞ്ഞുകൂടാ. ശമ്പളം വാങ്ങിക്കാനുള്ള തീയതി എല്ലാവർക്കും അറിയാം. മിക്കവാറും പട്ടദാരന്മാർ അന്യസ്ഥലത്തായിരിക്കും താമസം. ഇന്നു തിരുവിതാംകൂറിലുള്ള വസ്തുക്കൾ മിക്കവാറും ഒററിക്കാരുടെ കൈവശത്താണു്. ഒററിക്കാർ കരക്കുടിശിഖ വരുത്തിയാൽ വസ്തുഉടമസ്ഥൻ കൊടുക്കേണ്ടതാണല്ലോ. അതുകൊണ്ടു് ആയാളുടെ വസ്തുവിൽ പ്രവേശിക്കും. ഇനി ഊടുകൂറുപട്ടയം എന്നൊരേർപ്പാടുണ്ടു്. പത്തുനമ്പർ വസ്തുക്കൾക്കു പട്ടയം ഒന്നായിരിക്കും. വസ്തു രണ്ടുപേരുടെ കൈവശത്തിലുമായിരിക്കും. അങ്ങിനെവരുമ്പോൾ കൈവശാനുഭവമില്ലാത്ത വസ്തുക്കളുടെ കരക്കുടിശിഖയ്ക്കു ഇതിൽ ഒരാളിന്റെ വസ്തു ലേലത്തിൽ പോകുന്നുണ്ടു്. ഇങ്ങിനെയുള്ള അക്രമങ്ങളും നടന്നുവരുന്നു. കരക്കുടിശിഖ ഈടാക്കുക, കരം ഈടാക്കുക, സ്ഥാവരവസ്തുലേലം ചെയ്യുക ഇവയെ സംബന്ധിച്ചു പല അക്രമങ്ങളും നടക്കുന്നുണ്ടു്. ഡിമാൻഡു നോട്ടീസ് ഒരു പകുതിയിൽ ആയിരക്കണക്കായിട്ടാണു് വരുന്നതു്. ഇതിനെ സംബന്ധിച്ചു ഈ കൌൺസിലിൽ പലതവണ ചോദ്യങ്ങൾ ചോദിച്ചിട്ടുണ്ടെങ്കിലും യാതൊരു രക്ഷാമാർഗ്ഗവും ഉണ്ടായിട്ടില്ല.

PRESIDENT: You are straying from the field. Please confine yourself to the subject matter of the motion.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): റവന്യൂ ഉദ്യോഗസ്ഥന്മാർ ഇതുമാതിരിയുള്ള പല അക്രമപ്രവൃത്തികളും കാണിക്കുന്നുണ്ടെന്നും ബോദ്ധ്യപ്പെടുത്താൻ വേണ്ടിയാണു് ഞാൻ ഇതൊക്കെ പറയുന്നതു്. ഇതിനു മുമ്പു അനേകം സംഗതികൾ അക്രമമായി ചെയ്തിട്ടുണ്ടെന്നു പറഞ്ഞാൽ മാത്രമേ ഗവൺമെന്റിനു ഞങ്ങളുടെ സങ്കടം അറിയാൻ സാധിക്കുകയൊള്ളു.

തെക്കൻതിരുവിതാംകൂറിൽ വെള്ളം കയറി അഴുകിച്ചേതംവന്നാൽ കരം വകവച്ചു തരുന്നില്ല. തെക്കൻ തിരുവിതാംകൂറിൽ അഴുകുകൂടാ എന്നാണു വയ്പു്. ഇതു വളരെ സങ്കടമാണു്. തിരുവിതാംകൂർകട്ടുക്കു തിരുനൽവേലി മുതലായ ജില്ലകളെ അപേക്ഷിച്ചു കരം വളരെ കൂടുതലാണു്. മുമ്പു നെല്ലു നിരക്കുവില പറക്കു ൫-൦,൬-൦ ചക്രമേ

[MR. T. C. Kesava Pillai.]

ഉണ്ടായിരുന്നൊള്ളു. എക്സൈസ് ഇനത്തിൽ വലിയവരവുണ്ടായിരുന്നില്ല. അന്നത്തെ ബഡ്ജറ്റ് വലിയവണ്ണമായിരുന്നില്ല. തീരുവയിനത്തിൽ വലിയവരവില്ല. അന്നുള്ള ഉദ്യോഗസ്ഥന്മാർ സകലകാര്യങ്ങളും നടത്തിവന്നിരുന്നു. ഇങ്ങനെയുള്ള ഒരു കാലത്താണ് ഈ വലിയകരം നിശ്ചയിച്ചത്.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): അന്നത്തെ വിദ്യാഭ്യാസവകുപ്പിലേക്കു എന്തുചിലവുണ്ടായിരുന്നു എന്നറിയാമോ?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): അന്നുണ്ടായിരുന്നയാളുകൾക്കു ഇന്നത്തെക്കാൾ കൂടുതൽ വിവരമുണ്ടായിരുന്നു എന്നാണ് എന്റെ പൂർവ്വികന്മാർ എന്നെപഠിപ്പിച്ചിട്ടുള്ളത്. ശാസ്ത്രീയമായകാര്യങ്ങളിലും മററും കുറെ പരിചയം കുറവായിരുന്നിരിക്കാം.

ഗവൺമെന്റിന്റെ പ്രധാനചുമതല ആഹാരസാധനങ്ങൾ ഉണ്ടാക്കുന്നതിനു പ്രേരിപ്പിക്കേണ്ടതാകുന്നു. തേങ്ങ, കുരുമുളകു, റബ്ബർ മുതലായവയ്ക്കു ഇന്നുവലിയ വിലക്കുറവാണ് സംഭവിച്ചിട്ടുള്ളത്. അതുകൊണ്ടു ഇതിനെല്ലാം ഗവൺമെന്റു ഒരു പരിഹാരമാർഗ്ഗം കണ്ടുപിടിക്കേണ്ടതാണ്. എന്റെ ഭാഷയെപ്പററി മി. കുര്യാക്കോസ് പറയുകയുണ്ടായി. കൌൺസിൽപ്രൊസീഡിംഗ്സിൽ നല്ലഭാഷയിൽ സംസാരിച്ചിട്ടുള്ള പല പ്രസംഗങ്ങളും ഞാൻ കണ്ടു. ഇങ്ങനെ നല്ലഭാഷയിൽ സംസാരിച്ചതുകൊണ്ടു വലിയ ഫലമുണ്ടായതായിട്ടു തോന്നുന്നില്ല. എങ്ങനെയെങ്കിലും ആശയം മനസ്സിലാക്കണമെന്നു മാത്രമെയൊള്ളു. അതുകൊണ്ടു ഒരു കാളയും പോത്തും കൊണ്ടു ശരിയായിട്ടു നടക്കുകയില്ലെങ്കിൽ രണ്ടുകാളയേയും രണ്ടുപോത്തിനേയും കെട്ടണം എന്നു എന്റെ ആശയം തുറന്നുപറയുകയാണ് ചെയ്യുന്നത്. അതുപോലെ ഒരു സ്ഥാപനത്തിലുള്ള ആളുകളെ പട്ടികൾ എന്നു സാധാരണ ഭ്രാന്തന്മാരല്ലാതെ ആരുംപറയുകയില്ല. ഞാൻ വല്ലതും പറഞ്ഞിട്ടുണ്ടെങ്കിൽ അതു നല്ല ഉദ്ദേശത്തോടുകൂടിമാത്രമാണ്.

ഈ സംഗതിക്കു ഒരു പരിഹാരമുണ്ടാക്കണമെന്നു മാതാവായ ഗവൺമെന്റിനോടും, ഈ കൌൺസിലിനോടും അപേക്ഷിക്കുന്നു. റവന്യൂകമ്മീഷണർ അവർകൾ ഈ രാജ്യത്തിനുവേണ്ടി ചെയ്തിട്ടുള്ള സകല പ്രവൃത്തികൾക്കും ഞങ്ങൾക്കു അദ്ദേഹത്തിനോടു നന്ദിയുണ്ടു. എങ്കിലും ഈ തെററിനെക്കൂടി അദ്ദേഹം തിരുത്തണമെന്നുള്ള പ്രത്യേകഅപേക്ഷയോടുകൂടിഞാൻ ഈ പ്രമേയത്തെസഭാമുമ്പാകെ സമർപ്പിച്ചുകൊള്ളുന്നു.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): I have great pleasure in seconding the motion moved by Mr. T. C. Kesava Pillai and I am sure that my friends on the other side of the House are likely to oppose it because I understand that from the attitude taken by some of them when Mr. T. C. Kesava Pillai was making his speech. Sir, to me it seems that of all the several measures adopted by our Government in recent times this particular G. O. has to be characterised as one of the most retrograde. We know that we have to maintain our Government and for that the dues of the Government should be paid at the proper time. But, Sir, of late owing to the depressing economic conditions over which our people have no control, some of us are unable to pay the kists at the fixed intervals, and for this also I would apportion the blame on the shoulders of Government in so far as they have not as yet done anything definite and effective towards limiting the sufferings of the people caused by the present depressing economic conditions. As for the G. O. my submission is, apart from its unreasonableness and unfairness, it is also contrary to the Revenue Recovery Regulation of which my friend Mr. P. N. Krishna Pillai reminded Mr. T. C. Kesava Pillai in the course of the latter's speech.

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): May I know how the G. O. in question contravenes the Regulation?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): I shall point out how Section 41 of the Regulation says:—

"It shall be lawful to the Division Peishkar or Tahsildar to attach or sell the whole or any portion of the land of a defaulter for the recovery of arrears of revenue; provided always that no larger portion of the land shall be attached or sold than may be sufficient to discharge arrears with interest and expenses of attachment and sale."

I would emphasise, Sir, the proviso. It says —

"That no larger portion of the land shall be attached or sold than may be sufficient to discharge arrears**".

Now what is being done is this. The taluk authorities who know the nature and value of the property sought to be sold according to this Section put to sale that portion of it which they think may be sufficient to discharge the arrears; and in all cases I know bidders are not allowed to bid at a lesser amount than the amount of arrears due to Sirkar for which the land is sought to be sold. But now in the case of the Sirkar alone when there are no purchasers the Sirkar has to purchase it at a nominal price of 1 chuckram. What I say is that so far as this Section is binding upon the Sirkar also as a purchaser, there is no reason why the Sirkar should be treated differently and allowed to purchase it at a nominal price whereas the agents of the Sirkar themselves have valued it at a larger sum. According to the G. O. now under discussion the Sirkar can purchase the whole land for a nominal sum of 1 chuckram. Then the Sirkar can proceed against other lands belonging to the defaulter and those lands may also be purchased for a nominal price of 1 chuckram and thus all the lands of the defaulter in the whole State can be purchased by the Sirkar at the nominal sum of 1 chuckram each. This is no purchase, Sir, but confiscation.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Provided that there are no other bidders?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Yes. But the bidders may not appear, because though there may be a publication in the gazette it is not always that the people may be able to know of the sale. What I say is the question is not whether there are bidders or not. That is immaterial. It is the value of the property that is sold that is to be criterion of the sale. As I pointed out just now, the Section says "that no larger portion of the land may be sold than may be sufficient to discharge the arrears" the procedure now complained of is certainly unfair and unjust because all the lands belonging to the defaulter should be sold for the nominal sum of 1 chuckram each. The intention of the legislature in inserting this Section in the Regulation is clear. I think the intention is that coercive process with regard to the sale of immovable properties of the defaulter can be enforced only to the extent desirable for the realisation of the dues of the Sirkar. Now by enforcing this G. O. the Sirkar is clearly violating the provision of Section 41 referred to. I do not understand how this G. O. is not contrary to the provision of Section 41. I think it is clearly in contravention of this Section and particularly the proviso contained therein that this G. O. has been promulgated. The G. O. says that Mr. Robinson made a recommendation on due consideration to Government and the Government sanctioned this G. O. Mr. Robinson may recommend ever so many things. But if the Government are going to pass orders after such consideration and if the effect of the consideration is this my submission is that the public have no safety at all. For these reasons and particularly because the G. O. contravenes Section 41 of the Regulation I support the motion.

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): What does that Section say?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): I have said that. It says that only such portion of the land can be brought to sale as is sufficient to discharge the arrears and if there are no bidders.

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): Does the member think that the debt is discharged if there are no bidders?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): It is only in case that the debt is not discharged that the Government will go against the other portions of the property.

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): Does the Section say so?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): What is the difficulty I ask?

MR. MATTHEW MURIKKAN (*Vaikam*): Does it not mean that the Sirkar should purchase it for the real price?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): That is what I am aiming at. The agents of the Sirkar fix some value for the property. Certainly the property must be more valuable than the amount of

arrears for which the property is sought to be sold. They proclaim it for sale and they have fixed a proper value. For these reasons, therefore, I would strongly support the motion brought forward by Mr. T. C. Kesava Pillai.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : When the property is really worth more than 1 chuckram why is it that no bidders are coming forward?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): There are ever so many reasons. I have just pointed out that even though there may be a publication in the Gazette the common public may not be aware of the sale.

MR. P. N. KRISHNA PILLAI (*Secretary to Government*) : I may inform the member that notification is not only published in the Gazette, but is also published locally at the place where the property is situated and also in the Taluk and Pakuty Offices.

MR. A. THANU PILLAI (*Trivandrum*): If the property is not really worth more than 1 chuckram is it at all reasonable to charge on that property any appreciable amount by way of tax and can the holder be made liable for the balance and can such balance be realised from his other properties ?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : Certainly not.

PRESIDENT : Mr. Robinson, will you please explain the position of Government so that the House may be aware of the intention of Government in the matter ?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): Sir, there seems to be a good deal of misconception about this alleged new Government order. I can assure the House that no new principles have been enacted; nor have any new rules of proceduce been started. The present G. O. is only an interpretation of the rules of procedure which the subordinate officers have to follow. It was really not necessary to publish it in the gazette. But it was done in order to let the land owners know where they stand ; and to make the procedure that was hitherto followed, clear to everybody. The practice of buying or resuming lands for arrears of tax has been in existence in this State since time immemorial; and the practice was that when a land was put up to auction, either for arrears of revenue on the land which is to be sold, or for other arrears under the Revenue Recovery Regulation and when there were no bidders, that land was bought in. The old procedure was that the arrears were written off and the land recorded as *tharisu*. In 1919, however, when I was in Devicolam I pointed out that by this procedure Government did not really free the landowner of his liability on the land and that we did not really divest him of his estate; and by Government Order No. 4461 of 1919 the mode of buying land for a nominal price of 1 chuckram was made applicable throughout the State.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : Will he please read the G. O.?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): The first part of the G. O. gives the history of what has occurred before: Then it proceeds to say—

> " When a piece of registered land is put up to auction for arrears of tax under the Revenue Recovery Regulation and no bidders are forthcoming the procedure now followed in the Devicolam Division is to bid the land for the Sirkar for a nominal value of 1 chuckram, credit the purchase money of 1 chuckram out of the taluk contingencies towards part payment of the dues, write off the arrears minus the amount of purchase money."

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): What is meant by write off?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): It means writing off as irrecoverable.

> "The procedure is based upon the letter No. 6514 read above. But in the other Divisions of the State, the land in such cases is not bid for the Sirkar as is done in the Devicolam Division; but the arrears are merely written off and the land recorded as *tharisu* with the sanction of Government."

> "The Government consider it desirable and necessary that the procedure adopted should be uniform in all the Divisions. Further, the formal purchase of the land on behalf of the Sirkar is also legally necessary in view to divest the holder of the land of his title and vest the same in the Sirkar free of all encumbrances. The Government, therefore, direct that, in such cases, the procedure followed in the Devicolam Division, be adopted in other Divisions also."

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Therefore, does that G. O. provide for all the properties of the defaulter being proceeded against and sold?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I am trying to show what has been the procedure. If the member will have a little patience I will show him that it has been the procedure to attach and sell other properties of the defaulter if the land in respect of which the arrears are due is not sufficient.

In 1923, this procedure was reiterated and was made applicable to temple and *kandukrishi* lands under G. O. No. 1445 dated the 10th November 1923. In that G. O. and in para 3 of it it is said:—

> " In case the defaulter possesses no other properties from which the balance of arrears could be recovered the entire arrears minus the amount of the purchase money should be written off the accounts and the land recorded as the *thanathu* of the Sri Pandaravagai or the Sri Padom Estate."

That clearly shows that it was contemplated that if the defaulter possesses no other properties from which the balance could be recovered it should be written off.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is it an interpretation or an amendment of the G. O.?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): It is simply an interpretation.

In para 4 of the same G. O. referring to the arrears due to the *kandukrishi* department the procedure to be followed is given. It says that the arrears minus the purchase money should be recovered from other properties, if any, of the defaulter.

You will thus see that this practice was in vogue in 1923. This order makes it clear that the arrears should be written off only when the defaulter possesses no other property from which the balance could be recovered.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Which G. O?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): The G. O. of 1923. It is at page 789 of the 2nd supplement to the Land Revenue Manual.

To clear the apprehension of the members I may state that the procedure of sale under the Revenue Recovery Regulation in respect of properties other than those for which the arrears are due is clear. Section 5 of the Revenue Recovery Regulation provides for the sale of the defaulter's moveable or immovable properties or both for the realisation of arrears. This is the case in Mysore, Madras, Cochin and other countries. From what I have said it will be quite clear that there is nothing new in this G. O. It is only an interpretation of the rules of procedure and, as I said before, it need not have been published. It is only meant as a direction for subordinates; but the Government published it with a view to let the land-owners know where they stood and with a view to make clear the procedure that has to be followed. I am sure that the number of properties bought by Government for 1 chuckram is very small, and I may assure the House that if there is any real hardship and if it is brought to the notice of the Government or the Head of the Department, steps will be taken to see that the hardship is removed to the greatest possible extent. At present Government can do nothing, because they are bound by the Revenue Recovery Regulation. The only thing for the members is to address the Government to amend the Regulation. Government cannot go behind the Judicial pronouncement that has already been made that other lands are liable to be sold. As I said before if there is any hardship and it is brought to the notice of Government or the Head of the Department every endeavour will be made to see that the hardship is relieved to the greatest possible extent

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Have the Government sustained any loss by confining themselves to the particular property in respect of which the arrear is due?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*). In the Kunnattur taluk, at one of my inspections, I found that the wrong procedure had been followed. I pointed out the wrong procedure and that was the cause of the present Government Order.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether in those cases the lands purchased by the Government were lesser in value than the land in respect of which the arrear was due?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I cannot say off hand. It will happen through various circumstances. The land owner may be a very powerful person and therefore bidders may not come forward.

[Mr. S. C. H. Robinson.]

In any case, Section 41 of which Mr. N. K. Krishna Pillai spoke only provides that the Revenue Department should not attach more lands than the value of the debt. It reads as follows:

> "It shall be lawful for the Dewan Peishkar or the Tahsildar to attach the whole or any portion of the land of a defaulter for the recovery of arrears of revenue; provided always that no larger portion of the la d shall be attached or sold than may be sufficient to discharge the arrears with interest and expenses of attachment and sale."

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know om the Land Revenue and Income Tax Commissioner whether that Section is not also binding upon the Government?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): It is binding upon everybody. We cannot attach more land than is sufficient to pay the debt. And in many cases of appeal, the member himself is aware..........

MR. A. THANU PILLAI (*Trivandrum*): May I know from the Land Revenue and Income Tax Commissioner the number of cases in which Government found it necessary to purchase lands for a nominal price of 1 chuckram?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): It has been very small. In cases where more land than is necessary has been sold in auction and the fact is brought to notice, the case is remanded, as members of the legal profession who are here, know.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): May I know from the learned Commissioner whether in any case the excess money realised by the auction of the land was remitted to the owner of the land?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I could not answer that question off-hand.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Does not the Land Revenue Commissioner under this Regulation possess the right of remitting?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): Government have the power under this Regulation to remit under special circumstances. As I said, if any special hardship is brought to notice, we will do what we can to remedy it. There may be cases in which more land is attached than is necessary and in such cases we cancel the sale and remit the amount. That happens time after time.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): How do they find out that a case is a hard one?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): We have to go into the merits of that case. It might be a hard case or it might be a case where the landowner is a powerful person.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): കരക്കു ടിശ്ശിഖ—

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): Mr. Kesava Pillai will please put the question in English. He knows English.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): May I know whether in the generality of cases (ഇംഗ്ലീഷ് ശരിയായിട്ടു വരുന്നില്ല.)

PRESIDENT: Mr. Robinson, let Mr. Kesava Pillai speak in Malayalam. Mr. Nilakanta Pillai or Mr. Kayalam Paramesvaran Pillai will help you to understand what he says.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): കരക്കുടിശ്ശിഖയ്ക്കുവേണ്ടി ലേലത്തിൽപോകുന്ന വസ്തുക്കളുടെ ശരിതുക എന്തായിരിക്കും?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*); I could not say off-hand without looking into the records.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ഉദ്ദേശമായിട്ടെങ്കിലും പറയാമൊ?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I could not say off-hand.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ഉദ്ദേശം ൫ രൂപാ വരുമൊ?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I would not tie myself. It will be very small.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I beg to support the motion. Travancore is now passing through a serious economic crisis as other parts of India and probably other parts of the world do. Under these circumstances, when a notification of the kind in question was published in the Government Gazette, it aroused some serious misapprehension in the minds of the public generally as to the attitude that the Government proposed to adopt in the immediate future as there is a possibility of several holders of Government lands finding it difficult to pay Government dues on the due date.

I feel much obliged to Mr. Robinson for the very clear statement that he made before the House. It certainly assures us that the Government order is only an expression of the intentions of the Legislature as embodied in the Revenue Recovery Regulation and that nothing revolutionary or illegal is sought to be attempted. I may frankly concede that at the outset. Strictly speaking, the powers conferred by the G. O. on Government Officers do not exceed the powers conferred by the Regulation itself on the Government and its subordinate officers.

[Rao Bahadur K. A. Krishna Aiyangar.]

Having said so far, the question naturally arises, why should an attempt be made at this stage to make a change in the procedure that has been enforced all these years? When a particular item of property is sold for arrears of Government revenue, and there is no bidder, Government buy it for the nominal value of ch. 1 out of the taluk contingencies, and enter the property in their accounts as *tanatuchitta land*. So far it is faultless. But why in these troublous times, Government should have discontinued the practice of writing off the arrears after the sale of the property from which the tax is strictly due is the question that is now confronting us. Conceding that the procedure now laid down is perfectly correct, it does not prevent me, Sir, from submitting to you the undesirability of the proposed change. (At this stage Mr. Kayalam Paramesvaran Pillai made an observation informally that it is not a change.) I perfectly follow the possibility of argument. Sir, my friend makes the observation that it is not a change. I say that it is no change considering the spirit of the Regulation, but it is a change in the procedure to be followed by the officers of Government. As soon as a property in respect of which arrears of Government were due is sold, whatever be the price at which it is bought, we must take it that the purchaser gets a full return for the arrears of tax due on the property. I cannot, Sir, without seriously questioning the sanity of the Proclamation under which the Settlement operations were carried on in Travancore, believe that Government at any time intended to assess a property with a tax considerably less than the value of the property itself. Such a position is unthinkable and it was natural that Government as a matter of procedure of fair dealing, whatever be the statutory powers vested in them, thought that the arrears should be written off as soon as the property on which the arrear is due is brought to public sale. The difficulty in regard to the provisions of the new G. O. is this. It goes far beyond the provisions of the original G. O. It is not only property on which tax is primarily due that may be brought to sale, but all the other properties of the defaulter in the taluk or outside, movable or immovable may be brought to sale by the Government and purchased by the Government themselves in the absence of bidders, for the nominal price of 1 chuckram.

One peculiar feature that distinguishes revenue sales from other sales is that the property is sold free of all encumbrances. In the ordinary court sales, the purchaser gets only the right, title and interest of the judgment debtor. But according to Section 39 of the Revenue Recovery Regulation,

"All lands brought to sale on account of revenue dues thereon shall be sold free of all encumbrances, and if any balance shall remain after liquidating the arrears, interest and the expenses of attachment and sale and other costs due in respect of such arrears, it shall be paid over to the defaulter unless such payment be prohibited by the injunction of a court of competent jurisdiction."

That Government have got such a right to bring any immovable property to sale for arrears of tax, ignoring the interest of qualified owners or mortgagees or other encumbrancers, is well known to the public and the holders of properties are prepared to run the risk. Why is this provision embodied in Section 39? Because as a matter of high public policy, Government should have the first claim on the property for the tax due thereon. That principle is embodied in Section 2 of the Revenue Recovery Regulation and Section 39 simply gives effect to the statutory security created in favour of the Government under the earlier Section, *viz.*, Section 2. Section 2 says that

> "*the land, the buildings upon it and its products shall be regarded as security for the public revenue on such land.*"

So, the security that is sought to be created in favour of Government, the security under which Government obtain the first claim to the property—that security is conferred on the Government by Section 2 of the Revenue Recovery Regulation. All the Sections dealing with sales, prior to Section 48 to which I shall make reference later on, are cases of sales of immovable properties in which the tax is due and not some other land. Having gone so far, Section 48 says that if there are not sufficient properties in the particular taluk, Government may realise the tax due to them by the sale of the properties belonging to the owner and situated in other taluks. Naturally the question arises whether the sale of property other than the one on which the tax is primarily due stands on the same footing as the sale of property on which Government do not acquire a first charge. At first blush it might appear from the wording of the Statute that Government have got the first charge not only on the land on which the tax is due but on other lands of the particular individual in any part of the State. That certainly looks absurd, unfair and inequitable to use absolutely modest language. No doubt, it might be said that Government are technically correct in their procedure. Whether a sale held in pursuance to Section 48 confers on the purchaser a paramount title over other encumbrancers is a matter that has to be decided ultimately by the Civil Courts of the State.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does that arise now in a debate on this Government Order?

RAO BAHADUR K. A KRISHNA AIYANGAR (*Nominated, Deputy President*): That is just the trouble. In your attempt to realise the arrears of land revenue you have invoked the aid of Section 48. Under the earlier G. O., the arrears of tax were written off the accounts on the sale of the property. Then there was a recommendation from the Land Revenue Commissioner. The whole question was examined by the Commissioner, I have absolutely nothing to say against him. He is prefectly in order in the interpretation of the Statute. Government have accepted that interpretation and have issued a G. O. for the guidance of subordinates. Section 48 is responsible for all the trouble that we are now confronted with. In view of the danger which is now likely to arise, if this G. O. is carried out in all its details, it is high time that the Regulation should be so amended as to make it quite

[Rao Bahadur K. A. Krishna Aiyangar.]

clear that the demand of Government should be confined in the first instance, second instance and last instance to the immovable property on which the tax is due. I do not propose to take away the right of the Government to attach the movables of the individual. That is a distinct right and I do not propose that that right should be abandoned by the Government. Even though the G. O. may be said to be in strict compliance with the technical language of the Statute, the question arises, whether as a matter of high State policy the G. O. should be carried out in all its details and whether its operation should not be suspended until the Regulation is amended or until the return of normal economic conditions. That is the light in which I press the motion, for the serious consideration of the Government.

As I submitted, I listened very closely to Mr. Robinson. He said there were similar provisions in the Madras Act, and in the Cochin and Mysore Regulations. Let us ignore that fact. All these are copied from one source. Nobody seems to have bestowed any serious thought as to the implications of the introduction of a Section which militates against the spirit of Section 2 of the Regulation.

I now put this question to the Law Member, and I dare say that he will give me a plain and straight forward answer. If under Section 2 of the Regulation they have got the first charge only on the land on which the arrears of tax are due and if on the strength of that charge they sell property free of all encumbrances under Section 39, I expect him to tell me under what provision of the Regulation they propose to sell lands contemplated under Section 48 under the provisions of Section 39 free of all encumbrances. My submission is that they may bring the land to public sale but the right of the purchaser will only be the right, title and interest of the defaulter on the date of the purchase and not the entire estate in the holding itself. The construction put upon the provisions is not in accordance with justice and good conscience. The position of the Government in a case of this nature is that of the secured mortgagees. He is at liberty to get his first charge out of the mortgaged holding. If by the sale of the holding, his debt is not satisfied, he is allowed to proceed against other holdings. But in the latter case, he does not get priority over other creditors. Government did not propose to get any priority over all lands belonging to the debtor when a particular tax was imposed on a particular land at the time of the Settlement.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does the G. O. assume that the other land is sold free of all encumbrances?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I want a definite answer whether the sale of lands under Section 48 will stand on identically the same footing as the sale of lands under Section 39?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I wish to know how that is relevant for the purposes of this debate?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Let us get to the root of the whole trouble which has necessitated this discussion. The G. O. now proposes to take in its sweep the plain language of Section 48, to enable Government to recover arrears of revenue. Well, Sir, it might be a matter of high public policy, it need not necessarily be a matter of ignorance on the part of the Government and of their Law Officers. A question was raised by the Commissioner. It is open to Government to confine their demand to the particular land on which the arrear is due. What is wrong in it? In fact, I say that is fair. It is an assurance to the general public that the assessment imposed on the land was in accordance with a fair estimate of the probable yield out of the property, a provision being made for the requirements of the Government and the cultivator or the agriculturist getting the rest of the benefit. If the land is so absolutely useless that it could not pay the pattadar to retain it, why should not the Government approach the question from its own stand point, purchase it for a nominal price of one chuckram and include it in the *tanatuchitta*.

I can understand the promulgation of such a G. O. on occassions of the civil disobedience movement when people decline to pay Government tax as a matter of principle, and agitate for rights to which they believe they are legitimately entitled. They may say as part of the machinery of the passive resistance movement that they decline to pay tax. Then Government might call into requisition, to meet such an abnormal situation, the entire armoury available to them under the provisions of the Regulation. Is that the condition of our country at present? I do not think anybody on the side of the Goverment will seriously contend that the present political conditions of Travancore justify the resort to the entire armoury placed at their disposal by the Revenue Recovery Regulation. If that is not the spirit of the Regulation, if that is not the fear of the Government with reference to the general attitude of the people, if there are no indications of the civil disobedience movement extending to a refusal to pay tax, if after all, the instances, where Government had to buy property for a nominal consideration were very small —and it was conceded by Mr. Robinson— what is the justification for Government trying now to extend the possible scope of buying these lands?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does not the Legislature intend that?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*); Every well-ordered Government is entrusted with weapons for carrying on the administration. Does that mean that it should use all of it? There is the *lathi* charge, the rifle shoot, the machine gun. Does that mean that as soon as Mr. Bishop hears of a riot, he should send for the artillery, the cavalry and the machine gun? He will first have to try and to persuade and if he fails, then resort may be had to *lathis*

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It is for the same reason that the G. O. lays down that the lands must be put to sale bit by bit.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): There is no question of bit by bit.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If you read the G. O. you will find that the lands are to be proceeded against bit by bit.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I have read it with the full knowledge of the provisions of the Regulation.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The G. O. only reiterates the powers vested in Government.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Government are only exercising the power conferred on them by the legislature. But is the exercise of that power warranted by the conditions of the country at present? It is in that limited, qualified sense that I submit the question for consideration. My position should not be misunderstood. I never said that the G. O. in any way conflicts with any of the provisions of the Regulation. I frankly conceded even at the very outset that nothing has been urged from the standpoint of the lawyer against the legality of the G. O. Except a doubt whether lands in other taluks on which no arrear is due could be sold in exactly the same way as that on which the arrear is due and whether the intending purchaser will get the very same clear title, interest and right. That is a question on which I claim the liberty to entertain a reasonable doubt.

But if that is what the legal Advisor to Government thinks, it appears to me, that it would be perfectly within the right of the Government to give the necessary clear instruction for the Courts also to follow. But my submission is whether it has become so expedient or necessary now to issue this G. O. which empowers the Revenue Officers to proceed against lands scattered all over the country. Are we in Travancore, now in such strange and disturbed condition of things, as to necessitate the Government authorities being provided with all the armoury contemplated or allowed by the Regulation? Has it become necessary to make immediate use of all the powers vested in the Government? Why for the first time such an order has been thought of, is not clear to us. The procedure till now was to write off the arrears after the sale of the property on which the tax was due. Why is this change sought to be made. It is merely to explain to the public and to make them realise all the powers vested in the Government under the Regulation? If it is merely for the purpose of telling the public, we are a very strong body, we are armed with all powers to realise all our dues by all sorts of means, then we do accept, Sir, that the Government is a powerful body as it ought to be, since it represents the interest of the public.

After all, Sir, the interests of Government are not quite distinct from the interests of the public. People have therefore actually no hesitation for recognising that the Government is an all powerful body. For that purpose it is not necessary to issue any such G. O. I admit the G. O. does not contain any element of illegality. My only submission is that there is absolutely no necessity now for adopting the procedure distinct from what has been in force so long. No doubt, Your Honour Sir, I happened to be a Lawyer and you, Sir, happened to be a Judge (Laughter). By some strange emotions, Sir, I felt I was in a free atmosphere as though it were at a Court of Law or justice where I can freely criticise the actions of the executive, absolutely untramelled by any considerations except the interests of my client. That is the light in which I view the question. No doubt, Sir, for a moment I do not question the *bonafide* of Government. While I am prepared to concede that the G. O. now in question is only a plain exposition of the rights that the Government have for realising the arrears of revenue I still hold, with full sense of responsibility, that absolutely no case has been made out for enforcing Section 48 for realising the arrears of public revenue. It is in that light, Sir, that I support the adjournment motion made by Mr. Kesava Pillai.

MR. A. S. DAMODARAN ASAN (*Mavelikara -cum Kartikapalli*): Sir, I rise to support the motion before the House. I must admit that I am not going to concede what the learned Deputy President.—

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*). ("Krishna Aiyangar, please")

PRESIDENT: Probably Mr. Krishna Aiyangar wants to remind the House that he can be the Deputy President only when he is in the Chair.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I feel I am much freer here than I am in the Chair, Sir, (Laughter)

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): According to me, Sir, the G. O. is not in consonance with the spirit of the provisions in the Regulation. The learned Secretary to the Legislative Council has been questioning the mover of the adjournment motion whether he referred to the G. O. of June 1919. As I have only a very limited time I do not intend to refer to the Regulation itself, because then I would not be able to touch upon the important point now before the House. Sir, G. O. No. 4461/L. R., dated 1st June 1919 which was not first of its kind says:—

"In the G. O. read above, Government directed in cases where registered lands were put up to auction for arrears of tax under the Revenue Recovery Regulation and where no bidders were forthcoming, the procedure to be adopted was to bid the land for the Sirkar for a nominal value of one churckram, credit the purchase money of one chuckram, out of the taluk contingencies, towards part payment of the dues, write off the arrears minus the amount of the purchase money with the previous sanction of Government and record the land as *tharisu*."

Sir, that refers only to cases where registered lands were put up for auction or arrears of tax, under the Revenue Recovery Regulation,

[Mr. A. S. Damodaran Asan.]

That refers mainly to case of lands for which arrears of tax are due. After that G. O. was issued on the recommendation of the Land Revenue Commissioner who puts his own interpretation on the G. O of 1919 and the G. O. of 1923 which refer solely to Sreepandaravaka and Sreepadam and Kandukrishi lands.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : Will the member please read Sections 3 and 4 of that G. O.?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*) : Before I read those Sections I shall read the immediately preceding paragraph.

> "Government have carefully considered the question. The term 'public revenue due on land' includes the assessment in kind or money charged on lands and payable to Government, or the Sreepandaravagai, (*vide* Section 1 (*a*) of Regulation I of 1068), as well as the pattom on Kandukrishi and Sreepadom lands. (*vide* the explanation thereunder). The G. O. quoted above refers in general to auction sales ,for arrears of tax held under the provisions of the Revenue Recovery Regulation. Government therefore consider that the procedure laid down in the G. O. should be declared to apply also to sales under the Regulation for recovery of arrears due to the Sreepandaravagai, the Kandukrishi Department and the Sreepadom Estate subject to necessary modifications. The following instructions are accordingly issued for the guidance of Revenue Officers in the matter."

Because Mr. Robinson wanted the G. O. to be clearly understood by the House I must read the reference also.

> "The Land Revenue Commissioner has brought to notice that, in respect of certain Survey Nos. in the Kunnathukal Pakuthi, Neyyattinkara Taluk, which are of the Sreepandaravagai Pattom tenure, the patt dar defaulted payment of the tax due for the Kanni crop of 1098 and one of the Survey Nos. was attached for the arrears due and auctioned under the Revenue Recovery Regulation. The auction proved futile as no bidders were forthcoming."

Mr. Robinson is of opinion that the same procedure may be followed in case of Sreepandaravagai lands as well. And the G. O. says :—

> "Mr. Robinson is of opinion that the same procedure might be followed in the case of Sreepandaravagai lands as well and that the nominal value of one chuckram might be paid from the Sreepandaravagai contingencies and the land recorded as Sreepandaravagai *thanathu*."

> "Government have carefully considered the question. The term 'public revenue due on land' includes the assessment in kind or money charged on lands and payable to Government, or the Sreepandaravagai, (*vide* Section 1 (a) Regulation I of 1068), as well as the pattom on Kandukrishi and Sreepadom lands. (*vide* the explanation thereunder). The G. O. quoted above refers in general to auction sales for arrears of tax, held under the provisions of the Revenue Recovery Regulation. Government therefore consider that the procedure laid down in the G. O. should be declared to apply also to sales under the Regulation for recovery of arrears due to the Sreepandaravagai, the Kandukrishi Department and the Sreepadom Estate subject to necessary modifications."

That "*subject to necessary modifications*" is very important.

> "The following instructions are accordingly issued for the guidance of Revenue Officers in the matter :—

So, these instructions were issued *subject to necessary modifications* for the collection of arrears on the Sreepadom and Kandukrishi lands also. The reasons are also given there. I shall read Section 4 also.

> "In the case of arrears of pattom due to the Kandukrishi Department the land on which the arrears are due should not be sold, as the pattadar has no title to it he being only a tenant-at-will, but the improvements on the lands may be sold in auction and the proceeds credited towards the arrears due. If there are no bidders the officer conducting the sale should bid for the improvements for the nominal sum of chuckram one and meet the purchase money of one chuckram out of Kandukrishi contingencies. The arrears minus the purchase money should be recovered from the other properties, if any, of the defaulter, and if there are none such, the balance should be written off the accounts as irrecoverable. In such cases, the land will be resumed from the defaulters and leased afresh to others."

The reason for providing for that contingency also is given there. There the land does not belong to the Pandaravagai. It belongs to Government. That is probably the reason why that G. O. was issued '*with the necessary modifications.*' Sir, is there any reference in any of these G. O.'s to lands situated in other taluks? As such how can Mr. Robinson say that the present is an interpretation and explanation of the G. O. of 1919?

MR. K. GEORGE (*Chief Secretary to Government*): Will the member read the third paragraph also?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Oh Yes; then I must read the second also. Mr. Robinson wanted only the fourth. I think that I have omitted only the 3rd paragraph. I was afraid that the whole of my time would be taken up. I would rather read all the paragraphs that I have omitted.

> "1. When land is put up to auction for arrears of tax due to the Sreepandaravagai Department or the Sreepadom Estate, under the Revenue Recovery Regulation and no bidders are forthcoming the officer who conducts the sale should bid for the land on behalf of the Sreepandaravagai or the Sreepadom Estate, as the case may be, for a nominal value of one chuckram.
>
> 2. The purchase money of one chuckram should be recovered from the Sreepandaravagai Department or the Sreepadom Estate as the case may be, and credited towards part payment of the dues to the Sreepandaravagai or Sreepadom.
>
> 3. In case the defaulter possesses no other properties from which the balance of arrears could be recovered, the entire arrears minus the amount of the purchase money should be written off the accounts and the land recovered as the *thanathu* of the Sreepandaravagai or the Sreepadom Estate as the case may be, with the sanction of Government."

It is very clearly laid down that these rules are intended only to apply to Sreepandaravagai, Sreepadom and Kandukrishi lands.

MR. K. GEORGE (*Chief Secretary to Government*): Is it the member's position that the provision, that no other property from which the balance of arrears would be recovered could also be sold in auction, is applicable only to Sreepandaravagai lands? The G. O. says that the lands should be treated the same way as pandaravagai lands.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): '*With necessary modifications*'.

MR. K. GEORGE (*Chief Secretary to Government*): This is the necessary modification that is now sought to be made by this G. O. now under consideration.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): That cannot be. The G. O. of 1919 makes absolutely no reference to cases of any other property except that on which the tax is due. Is there any reference to that? From the copy that I have in my hands, I see that there is no reference.

Sir, what I was submitting was that Mr. Robinson wrote to Government that this was only an interpretation of the G. O.'s of previous years. This G. O. now states that the Government have carefully considered the question and are pleased to lay down the following instructions for the guidance of the officers in the future. Now, Sir, this G. O. is going to constitute another set of instructions. It does not say that the intention of the G. O. of 1919 was this.

Sir, as Mr. Krishna Aiyangar said we are not living in a country where there is any political agitation developing into a no-tax campaign and it is fully realised that the people here are now passing through a period of economic crisis. At such a time, Sir, why should this G. O., which I can never consider to be an interpretation of the previous G. O., be promulgated? Is it not admitted by this G. O. that in Travancore there are certain lands not worth even one chuckram which bear even a higher tax than they are worth?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): പുതുവൽപതിവിനു കുറഞ്ഞ തറവില എത്രയാണെന്നു പറയാമോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ഉദ്ദേശമായ അറിവേ എനിക്കൊള്ളൂ. അതുവച്ചുകൊണ്ടു പറയാൻ പാടില്ല.

I cannot give answers on mere guess.

What I submit is that this is a very hard rule and it has been promulgated at a very inopportune time. It is high time for the Government to cancel the G. O. and to appease popular discontent.

Reference was made to Section 48 of the Revenue Recovery Regulation. It says:—

> "When a defaulter or his surety may hold property out of the Taluk wherein default has been made the Tahsildar of the Taluk in which such defaulter or surety holds property shall, on the written application of the Tahsildar in whose Taluk such default has been made, proceed in all respects against the property of the defaulter or surety or both in the same manner as if the default had been made in his own Taluk".

Sir, in the case of a mere defaulter there is no question of surety. I think that applies to a case where a security is taken from a defaulter, in a case where he wants some time for the payment of the revenue. I shall read Section 43 also in this connection. It says —

> "If, at any time before the lot is not knocked down, a defaulter tenders security, it shall be lawful for the officer conducting the sale to accept the security and postpone the sale of the defaulter's property upon such conditions and until such

time as he may appoint; in the event of default being made in the performance of such conditions, such officer may enforce the security subject to the provisions of Section 45.

The security bond shall be in duplicate, one of which shall be kept in the custody of the officer conducting the sale and the other shall be forwarded forthwith to the Division Peishkar.

The security bonds given under this Section shall be exempt from Stamp duty."

I think it is for the cases contemplated by Section 43 that Section 48 applies. We do not find any reference to the property situated in other taluks, in any other Sections. My friend Mr. P. N. Krishna Pillai was referring to Section 5. What does that Section say?

"When Public Revenue due on land may be in arrear, such arrear, together with interest, if any, and costs of process, may be recovered by the sale of the defaulter's movable or immovable property or both in the manner hereinafter provided."

What I say is that Section 5 is an enabling provision. It is admitted that this Revenue Recovery Regulation is applied not only for the purpose of collecting land revenue but for so many other purposes, even to cases where no tax is due from the land. Certainly there must be some provision for such cases also. I do not see any doubt about that.

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): Does my friend realise that even the movable property of the defaulter may be proceeded against for arrears of land revenue?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): But only after selling the immovable property from which the tax is due?

MR. P. N. KRISHNA PILLAI (*Secretary to Government*): Is it not the practice to proceed against the movable property of the defaulter in the first instance and is not that procedure legal according to Section 5 of the Regulation?

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): That is because arrears could be realised with greater expedition if steps are taken against movables. There is specific provision for destraining the movable properties of the defaulter. But there is no specific provision for proceeding against his properties situated in other taluks except the provision contained in Section 48. But I submit that section 48 has to be read with Section 43. All these difficulties have arisen because the Land Revenue Commissioner has tried to interpret some of the sections and the G. O's. in force and formulate certain proposals to Government, who, probably without consulting their legal advisors have passed the G. O. Otherwise Government must admit that it is a fresh G. O. which confers new powers on the Government. On these grounds I support the motion now before the House.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I am glad to see that Mr. Krishna Aiyargar has conceded the legality of the G. O., which, unfortunately, has been the cause of the adjournment motion now before the House. But, Mr. Asan seems to doubt it. It seems to me, that from a perusal of Section 48, and also of Section 49, that any property, movable or immovable, of a land holder may be proceeded against for the recovery of the arrears of tax

[Mr. Kayalam Paramesvaran Pillai.]

The arrears of taxes are considered to be a debt due from the landholder to Government; or, to speak in the language used in common parlance, when a person enjoys land, the tax due on the land is considered to be his first debt. It is only reasonable that there is effective provision to enable the debt being collected. It is nothing more than this that the Regulation has provided for. Sir, I do not want to take up the time of the House by *reading* all the Sections relating to the point. But Section 5 has been referred to more than once in the course of this debate. Section 5 is clear on the point that the arrears of revenue may be recovered from the movable as well as the immovable properties of the defaulter.

Then, coming to Section 48, referred to by Mr. Krishna Aiyangar it clearly lays down that the defaulter's other properties, situated in other taluks too may be proceeded against for the purpose of the recovery of the arrears of tax.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I ask the member why then the word '*surety*' has been introduced there?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Because, sometimes there may be a surety also. Section 49 goes further and says that even debts due to him and his salaries may be proceeded against. Therefore, it will be seen that every remedy contemplated by law, known to the law for the recovery of debts, has been allowed for the recovery of taxes due to Government.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Is there any provision to proceed against the person of the defaulter?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No, so far as I can see.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I ask the member why the Government did not think of providing for that also in the G. O. now in question, or in some other G. O.? (*Hear, hear.*)

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*); Because the G. O. wants to be only in conformity with the provisions of the Statute. There is however nothing peculiar or wrong in such a provision also; because in Madras—and in Mysore also, I think there *is* provision for the arrest of the defaulter.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*); May I ask the learned Law Member how he would reconcile Section 2 with Section 48?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): There is nothing to reconcile. In Section 2 it is stated that the lands as well as buildings belonging to the debtor should be regarded as security.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Security for what, Sir?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Security for public revenue due on such land.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Is it only in the exercise of the right to proceed against unsecured properties also that the present G. O. has been issued ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am coming to that.

In view of the express provision in the Statute that the properties of the defaulter could be regarded as security for arrears of tax due, it seems to me impossible to conceive how it would be illegal to proceed against any property of the defaulter other than the property on which the tax is due. I need not labour that point here because the point has been raised in our Courts of Law and decided upon. Our High Court have given a ruling on the point.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know from the learned Law Member the circumstances that have led to this G.O.?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : If the member would remind me of this question later on I shall answer him. I am now dealing with the *legality* of the G. O.

Sir, the ruling of the High Court that I was referring to is contained in the First Volume of the Travancore Law Journal.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) ; May I hear from the Law Member the equitable side of it ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes, but only after I finish the legal aspect of it.

It will therefore be clear, Sir, I suppose, from what I have been submitting, that it is perfectly legal for the Government to proceed against *any* property of the defaulter for arrears of taxes due.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : May I ask what was the point at issue in that case reported in the first volume of the T. L. J.? Was it not whether properties from which arrears were not due could be sold free of all encumbrances? I think that was the point decided there.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : There is a dictum on the specific point now in question.

Sir, in spite of the eloquent speech of Mr. Krishna Aiyangar, it was conceded that the G. O. is perfectly legal. That being so, I do not wish to be dragged into unnecessary side issues.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : I do not see how I deserve that side hit, Sir.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : May I know whether there is any ruling which lays down that, for the arrears of tax due on a particular land, only that land could be sold ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No, if Mr. Kesava Pillai will take up any such ruling and forward it to Government, Government would be very thankful to him, and would immediately ask their legal advisers to re-examine the question in the light of that ruling.

I submit, Sir, it is perfectly legal to proceed against any property of the defaulter to recover the taxes due. Mr. Krishna Aiyangar frankly conceded that that was within the intention of the legislature also. Now, I ask, when it is perfectly legal and is within the intention of the legislature, how can this G. O. be illegal?

Mr. Krishna Aiyangar asks, Sir, 'It may be your legal right; but why do you exercise it?' The simple answer is this. The revenue due is public revenue and not any private dues; and the public servants have got a duty towards the public to recover public revenue by all means possible.

MR. A. THANU PILLAI (*Trivandrum*): Are not the Government bound to recognise the equities in favour of the landholder?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am now dealing with the general principle involved in the matter and not with individual cases where the equities may have to be considered.

What I submit is that the legislature commands that the arrears of public revenue may be recovered either from the property, the tax on which is in arrear, or from any other property belonging to the landholder.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): കുടിശ്ശിഖ കരം എന്താണ്?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ലാൻഡ്‌റവന്യൂവിലുൾപ്പെട്ട എല്ലാ കരവും ഈടാക്കാമെന്നാണ് ഞാൻ പറയുന്നത്.

So, Sir, if the legislature allows these weapons to be used, is it not, I ask, the duty of the officers of Government to exercise these rights and use these weapons, if necessary in the interests of the public? Why did the legislature then command that, even by exercising all these rights, all the arrears must be recovered? It is not dues to any private body or individual. Once the legislature lays down as it has done in the present instance, are not the officers of Government bound to use all the weapons provided by it when necessity arises? If they do not do so, they would be failing in their duty towards the public. I am submitting all these, Sir, on the general aspect of the question.

Mr. Thanu Pillai asked me about the equities in favour of the landholder. In individual cases, Sir, where, on account of peculiar circumstances beyond the control of the defaulters their cases may have to be viewed equitably, Government have the power for instance under certain Rules to remit the taxes. If Mr. Thanu Pillai or Mr. Krishna Aiyangar has any grievance............

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : I have no grievance Sir.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I submit, Sir, in individual cases where the circumstances are hard, Government have got the power to consider each one of such cases on its own merits and to grant say, remission of taxes. That is an entirely different question from the question of general principle or right of the Government to realise arrears of public revenue which alone is enunciated in the G. O. now the subject of discussion. So long as the Regulation lays down that it is perfectly legal to proceed against any property of the defaulter, I submit, it cannot be said that there is anything wrong in the G. O. The G. O. does not say anything more than what is contained in the Regulation.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : Do I understand my friend to suggest, that the contract gives him a pound of flesh and that therefore he would seize it, cut it out from the heart of the debtor ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : No, Sir ; what I submit is that the G. O. enjoins only those processes which are allowed by the Law and nothing more. In special circumstances, in individual cases, if it is brought to the notice of the Government that the exercise of these legal rights by Government would work as harmfully as the cutting of a pound of flesh from the person of the debtor, Government are certainly prepared to consider such individual cases on the merits , and they *do* have the power to grant remission of taxes in such cases. There are Rules for the remission of taxes.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : May I ask my friend whether, if such peculiarly hard circumstances of individual cases are brought to the notice of the Land Revenue Commissioner or his subordinates, they are bound, in the light of the provisions of the Law on the matter, to take notice of such circumstances ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Yes, it seems to me they are ; there are Remission Rules. It is open to the aggrieved landholder to say, 'This year there was scarcity of water, there were untimely rains, the yield was unusually poor. The prices of products have gone down terribly. I am not therefore in a position to pay the tax on my land.' It is open to the landholder to pray for the remission of tax , and Government have got the power to grant remission under the Remission Rules. And, they *do* grant remission in deserving cases.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*) : May I ask the learned Law Member whether in a case where the subordinate officer of the Revenue Department had disposed of a land in a manner perfectly consistent with the law and the G. O. on the question, and such disposal causes great hardship to the land holder, can the Land Revenue Commissioner or the Dewan reverse such a decision by the subrodinate officer of the Revenue Department ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): He cannot. That is why I said that the aggrieved land-holder should seek the appropriate remedy. If he thinks that, for reasons for which he was not responsible, he cannot pay the tax on account of general trade depression or failure of crops or other circumstance, he should bring it to the notice of Government and pray for remission of tax. Mr. Robinson has already assured that individual cases will be considered.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Are there such Rules now?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I have not got the Rules now before me, but I know there are some Remission Rules.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Is my friend aware that the Remission Rules now in force apply only to the taluks of south Travancore and to the Shencotta taluk and not to any other taluk in Travancore?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am prepared to take my friend's statement as correct. Then, the only point is that the benefit of the Remission Rules should be extended to the other taluks also, or that fresh Remission Rules, extending to the whole of the State, should be framed and passed.

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): May I ask the learned Law Member whether Government have got the right to realise arrears of revenue from lands which the defaulter did not own at the time he made the default?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*); That is a hypothetical question; and it does not arise from the G. O. which forms the subject of the present discussion.

MR. A. THANU PILLAI (*Trivandrum*): May I know from the Law Member what is the harm in Government proceeding merely against the property on which the tax is due?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): This is the reason, as it appears to me. Ordinarily, there may not be any necessity to proceed against the other properties of the defaulter. The portion of the G. O. now criticised contemplates only exceptional cases where not even a single bidder is coming forward for the land on which the tax is due.

MR. A. THANU PILLAI (*Trivandrum*): Is there any reason why not even a single bidder would come forward for a land sold in auction?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*); There may be or may not be; but, my point is that the G. O. is not intended, or rather, is not likely to be applied to every case of default.

MR. A. THANU PILLAI (*Trivandrum*): Then, are the reasons for the fear, that no bidders would be coming forward, merely imaginary?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is not it. Where is the harm in making provision for an extraordinary or exceptional contingency? In hard cases, the aggrieved party may approach Government for remission.

MR. A. THANU PILLAI (*Trivandrum*): There is no rule or provision for that. It is very very difficult to induce Government to write off the taxes due, particularly when there are no rules for the purpose.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): We are now concerned only with the general rule of law and not with individual cases. I can understand the opposition to this G. O. if any one would point out that it is illegal or inequitable generally. It is perfectly legal and perfectly equitable. And, it is the duty of the Government to enforce the law. It is intended only for very very exceptional cases where no bidders may be forthcoming for the land on which the tax is due. It expressly says '...*if no bidders are forthcoming*....' It is only to such exceptional cases that the G. O. would apply.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Then, why not Government leave all such land, for which no bidders are forthcoming, to the owner himself instead of taking it for one chuckram for themselves?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is because no bidders are forthcoming.

MR. A. S. DAMODARAN ASAM (*Mavelikara* cum *Kartikapalli*): So, Government take, for themselves, land for which no bidders are coming forward, just for one chuckram, credit that chuckram towards their dues and proceed further against other lands of the defaulter for which they expect bidders to be forthcoming?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Mr. Asan now puts forward as a serious suggestion that if bidders are not forthcoming for land A on which the tax is due, Government should proceed against land B belonging to the defaulter and not take land A for themselves for one chuckram.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Surely that would be better than Government taking the land for themselves for one chuckram.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I must refer to the other point raised by the Deputy President.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): May I know—

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I cannot answer any question just now.

Mr. Krishna Aiyangar raised the question whether the land on which the tax is due, if sold in auction, would be free of all encumbrances. He said that it will not be free of all encumbrances.

[Mr. Kayalam Paramesvaran Pillai.]

For purposes of this debate, I shall not question that statement. But, it seems to me that it is absolutely irrelevant for the discussion on this G. O. If the Government have the right to adopt the procedure and to take the steps mentioned in the G. O., then, why should Mr. Krishna Aiyangar bring in the question whether the land would be free from encumbrances or not when sold in auction. That is the look out of the *purchaser* in auction.

MR. MATTHEW MURIKKAN (*Vaikam*): May I know from the Law Member the special reason for enforcing this so-called right of Government particularly at this famine time?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Kindly ask questions after I have finished this portion of my speech.

We are not at all concerned now with the question as to whether the land sold in auction would be free of all encumbrances or not. The law allows certain remedies and the Governmen t enforce them. Once the legality of it is admitted, how does the question, as to whether it would be free from encumbrances or not when sold, arise?

Mr. Asan asks why the other properties of the land-holder should not be proceeded against even at the outset before steps are taken against the land on which the tax is due. Government may proceed against other lands also. But I would point out to Mr. Asan that Mr. Krishna Aiyangar, a very able lawyer, has told us that the other lands would not be free from encumbrances.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): The encumbrances themselves must be less than one chuckram in value.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The nominal value of one chuckram is fixed because no bidders are coming forward.

MR. MATTHEW MURIKKAN (*Vaikam*): The Law Member has said enough about the legality of the question. Now, may I know whether there is any special ground to enforce these legal rights (as they are called) at this famine time?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*). I am thankful to Mr. Murikkan for reminding me of that aspect of the question. Mr. Robinson has told us that this G. O. is not now being issued for the first time and that it is only a reiteration of the practice that has been going on for several years past.

MR. A. G. MENON (*Parur*): Was such practice sanctioned by any Government Order hitherto?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am just now answering Mr. Murikkan.

MR. MATTHEW MURIKKAN (*Vaikam*): This has been now issued probably as a measure of famine relief. (*Laughter.*)

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): This practice has been in vogue for a very long time. Mr. Robinson has said that; and I think the House can accept the statement given by the Head of the Department. He has clearly explained that there has been a misconception about it in one taluk, namely the Kunnattur taluk on the part of the Revenue Officers there; and that therefore the whole question had to be re-examined and the G. O. now in question issued.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): May I know whether Government have any objection to purchase for its real value the land for which no bidders are forthcoming?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Perhaps, that is a matter for consideration. But, Government really do not want the land.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Why not the Government purchase the land for the statutory charges on it instead of for a chuckram?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*); As I have already stated, Government do not want the land.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): Should not the Government show some mercy?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes, Government must show mercy. That is why I said that the circumstances of individual hard cases might be brought to the notice of Government for special consideration. We are now dealing with a general rule.

MR. A. THANU PILLAI (*Trivandrum*): Should not the Government enquire why bidders are not forthcoming?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That may vary with individual cases.

MR. A. THANU PILLAI (*Trivandrum*): The Land Revenue Commissioner, the Head of the Department, surely should know the cause of it. Even the worst land should fetch at least one year's tax when sold.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): There may be a combine of the people of the locality. The Land Revenue Commissioner has already told you that there are very few cases where bidders do not come forward. I asked Mr Krishna Pillai the very same question that Mr. Thanu Pillai now asks me, namely, why bidders do not come forward; and he said that it was because of trade depression. I perfectly realise that difficulty. If such cases are brought to the notice of Government, they would surely not ask for the pound of flesh. But, why should the general principle or rule, be questioned for that? The Civil Procedure Code lays down, for instance, that the debtor may be arrested and kept in prison in certain cases. There may be hard case in which it would work very

[Mr. Kayalam Paramesvaran Pillai.]

hard on the debtor if that provision is enforced. The debtor's wife may be in her time of confinement; or the debtor himself may be ill. Certainly, in such hard cases, the Court may exempt the debtor from arrest and imprisonment. Individual, exceptional cases should not be taken into consideration during the discussion of the general rule.

MR. V. J. OOMMEN (*Commerce and Industry, North*): I move for a closure, Sir.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Closure cannot be moved when a member is in possession of the House.

PRESIDENT: You have to finish soon, Mr. Paramesvaran Pillai.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): സമയമായി.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*); Just one minute, Sir, and I shall close.

What I have to submit, in conclusion, is that it is only a general rule that is contained in the G. O. now in question; and, that general rule only enunciates the practice that has been in vogue for the past several years. I submit that the equity of a general rule should not be tested with individual exceptional cases.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): എനിക്കു കുറെ മറുപടി പറയാനുണ്ട്.

PRESIDENT: There are only five minutes more. If you want votes to be taken, you will have to spare sufficient time. At 5-30, the motion will automatically fall to the ground. I remind you of that.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ഇവിടെ പറഞ്ഞിട്ടുള്ള സമാധാനമൊന്നും നിർവഹിക്കത്തക്കതല്ല. ആദ്യം ഗവണ്മെൻറു ഇതിനെപ്പററി ദയവായിട്ടു ആലോചിക്കണമെന്നാണ്, മാതാവിൻെറ നിലയിൽ ഞാൻ പറഞ്ഞത്.

PRESIDENT: You want votes to be taken Mr. Kesava Pillai?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): രണ്ടു ഗവണ്മെൻറുത്തരവുകളും റവന്യൂകമ്മീഷ്ണർ നിദ്ദേശിച്ചിട്ടുള്ള നിദ്ദേശങ്ങളും അബദ്ധമാണെന്നും അതു ശരിയാക്കണമെന്നുമുള്ള എൻെറ അടിയന്തിര പ്രമേയത്തെ ഞാൻ പ്രസ്സ് ചെയ്യുന്നു.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): Sir, I would try to explain to the House that this is not a new rule. It was in January 1929, when I had been to Kunnattur, that I inspected the Taluk Office there and wrote in my inspection notes among various other things, that I should bring to the notice of

the Government the fact that in that taluk it had been recommended to Government that the tax due on a certain land should be written off and that the recommendation had been made without exhausting all the steps, open to Goverement to take, for the realisation of arrears of tax.

PRESIDENT : Mr. Robinson, your time is nearly up. You will just try to finish as early as possible.

MR. KAYALAM PARMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, he has got the right of reply.

PRESIDENT : Yes ; but, you will try to finish your speech as early as possible, Mr. Robinson.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : Accordingly, I brought to the notice of Government that all steps had not been taken to recover the taxes due and that the Tahsildar has had wrongly recommended that the tax might be written off. The question really arose about a year ago. There is therefore no question of raising it now when there is famine in the country. It so happened that, in the course of my correspondence with Government, the G. O. could be issued only now. As I submitted at the outset, it was not necessary to publish the G. O. at all. It was published simply to inform the subordinates of my department of the correct procedure.

As regards the special circumstances, of this Kunnattur case, in which no bidders were forthcoming, I have not written them in detail in my inspection notes. I think the owner of the land was an influential person and that therefore no one in the place would bid his land in Revenue Auction Sale.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : May I know from the learned member why his Kunnattur subordinates alone misunderstood the rules in force ?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : Everybody is liable to err. The Kunnattur Officer also, therefore, is liable to commit a mistake. That is all. There does not seem to be any special reason for that.

PRESIDENT : I think the time is up, and therefore, it must be taken that the motion has automatically fallen to the ground. In this connection, I may say that both sides of the question have been placed before me ; and Mr. Krishna Aiyangar has pointed out that Government should deal with the question sympathetically in view of the present economic condition of the country. I shall examine the whole question and do what is possible.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Nedumangad*) : Sir, with your permission, I desire to say, on behalf of my friends and on my own behalf, how very grateful we are to you for the very commendable and praiseworthy manner in which you have conducted the proceedings of this Council. (*Cries of 'hear, hear' from the different corners of the House.*) You have opened this Session by extending to us an invitation for co-operation. It must be apparent to you now, Sir, how willing we

[Mr. K. Madhavan Pillai.]

were to respond to that invitation. Differences of opinion are inevitable. We, on this side of this House, represent the orthodox non-official viewpoints, while my friends on the Government benches look at things from the point of view of practical administration. Sir, I assure you that, during the three days that you presided over the deliberations of this Council, you have convinced us that the rights and privileges of this House are quite safe in your hands (*Hear, hear*) and that you are moved by a determination to maintain the prestige and dignity of Government.

I do not wish to detain you further; but I wish you, Sir, most sincerely, all success in the discharge of the high and arduous duties on which, by the Gracious Command of Her Highness the Maha Rani Regent, you have entered.

PRESIDENT: Mr. Madhavan Pillai and gentlemen, I am extremely thankful to you for the sentiments expressed by you. I may assure you that I have been doing my work here in that spirit of co-operation and confidence which, I said, are essential to institutions of this kind; and I hope that those feelings of trust and confidence will always prevail here on the official as well as on the non-official side in the proceedings of this House.

I adjourn this Session of the Council *sine die*. (*Cheers*.)

The Council was adjourned *sine die* at 5-35 P. M.

P. N. KRISHNA PILLAI,
Secretary to the Legislative Council.

TRAVANCORE LEGISLATIVE COUNCIL.

THIRD COUNCIL.

FIRST SESSION OF 1106.

(*OFFICIAL REPORT.*)

Wednesday, the 15th April 1931/2nd Medam 1106.

The Council met in the Victoria Jubilee Town Hall at Eleven thirty of the Clock, on Wednesday, the 15th April 1931/2nd Medam 1106, the Deputy President Rao Bahadur K. A. Krishna Aiyangar Esq. B. A., B. L., presiding.

The following members were absent:—

Mr. K. C. Karunakaran,
,, K. N. Kesavan Namputiripad,
Mrs. Elizabeth Kuruvila,
Mr. H. B. Mahomed Rowther,
,, Matthew Murikkan,
,, G. P. Nilakanta Pillai,
,, V. J. Oommen,
,, K. Padmanabha Panikkar, and
,, Tariattu Kunjitomman.

The following members were sworn in:—

Mr. R. Krishna Pillai.
,, C. O. Madhavan, and
,, T. K. Madhavan Nayar.

QUESTIONS AND ANSWERS.

Statement, by caste, of appointments made by District Registrars.

74. **MR. D. C. JOSEPH** (*Agastisvaram*): Will the Government be pleased to lay on the table a statement, by caste, of the appointments made by the District Registrars during the years 1104, 1105 and 1106 (till 25-3-1106)?

MR. K. GEORGE (*Chief Secretary to Government*): A statement* containing the information is laid on the table.

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*Vide Appendix XI —Page 354.

G. P. T. 2151. 300. 2-11-06. B

MR. D. C. JOSEPH (*Agastisvaram*): With reference to the statement given in appendix XI, will the member be pleased to say the circumstances that led to the appointment of 164 men, from among the members of one particular community, in 1105?

MR. K. GEORGE (*Chief Secretary to Government*): I claim notice.

Scarcity of water at Muttam.

75. **MR. D. C. JOSEPH** (*Agastisvaram*): Will the Government be pleased to state what action has been taken on the water scarcity question at Muttam in the Agastisvaram constituency?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Government have carried out the following works in the Muttam Village for the supply of drinking and bathing water:—

(1) Boring holes 15 to 20 feet at the bottom of two wells in the east Muttam Village. One of these wells is the spring in Survey No. 4461 of Kadiapattanam pakuti and from the bottom of this a pipe line has been taken to low ground and a stand post with taps provided.

(2) A bore hole over 60 feet deep was put in one of the wells in the west Muttam Village on the foreshore of Periakulam tank, Survey No. 4529 of Kadiapattanam pakuti.

(3) Existing wells in disrepair are put in order wherever necessary by the Sanitary Department.

MR. D. C. JOSEPH (*Agastisvaram*): Will the member be pleased to state whether the works done in the wells at Muttam have mitigated the difficulties of water scarcity?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): To some extent.

MR. D. C. JOSEPH (*Agastisvaram*): Will the member be pleased to say the average quantity of water available in those two wells after boring?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): I do not hear the member.

DEPUTY PRESIDENT: What is your question, please?

MR. D. C. JOSEPH (*Agastisvaram*): Government have carried out certain works in certain wells at Muttom. I want to know the present quantity of water in those wells after boring?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): I claim notice.

MR. D. C. JOSEPH (*Agastisvaram*): With reference to part (3) may I know the nature of the work done by the Sanitary Department in those wells?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): The work was done by the P. W. Department.

DEPUTY PRESIDENT: The answer is "existing wells in disrepair are put in order wherever necessary by the Sanitary Department". What more do you want?

Scarcity of water at Muttam and other places.

76. **MR. D. C. JOSEPH** (*Agastisvaram*): Will the Government be pleased to state what steps have been taken to relieve the scarcity of water at Muttam, Eayanthengu and other places in Agastisvaram?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): With regard to Muttam, the member is referred to the answer to Interpellation No. 75. As regards Eayanthengu and other places the Chief Engineer has called for a line of levels and he is now considering the preliminary report thereon.

Appointment of graduates in the English Section of the Education Department.

77. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to lay on the table a statement showing:

(*a*) the number of graduates who were appointed in the English section of the Education Department during the period from 1-12-1103 to 15-4-1106;

(*b*) the number of Muslim graduates among them; and

(*c*) the number of graduates who applied for appointments during the period?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) 9.

(*b*) Nil.

(*c*) 120.

Complaints about Mr. Krishna Aiyangar, Division Officer, Nagercoil.

78. **MR. T. C. KESAVA PILLAI** (*Kalkulam cum Vilavankod*): Will the Government be pleased to state:

(*a*) whether they have received representations and complaints about Mr. Krishna Aiyangar, Division Officer, Nagercoil, and about his early transfer; and

(*b*) if the answer to part (*a*) is in the affirmative, why he is not transferred yet (10-4-1106)?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) Yes.

(*b*) As the petitions urging for transfer were either anonymous or pseudonymous, no action was taken on them.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): ഈ ഉദ്യോഗസ്ഥനെ സ്ഥലം മാററണമെന്നു ചീഫ് എഞ്ചിനീയരോടു നേരിട്ടു പൊതുജനങ്ങൾ അപേക്ഷിച്ചിട്ടുള്ളതായി ഗവൺമെൻറിനറിയാമോ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): അറിഞ്ഞുകൂടാ.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): ചീഫ് എഞ്ചിനീയരോടു ആ ഡിവിഷനിലുള്ള പൊതുജനങ്ങൾ കൂട്ടമായിച്ചേർന്നു മുഖദാവിലോ, ഹർജി മൂലമോ ഈ ഉദ്യോഗസ്ഥനെ സ്ഥലം മാററണമെന്ന് അപേക്ഷിച്ചിട്ടുണ്ടോ എന്നു ചോദിക്കാമോ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): ചോദിക്കാം.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): അപ്രകാരം അറിയിച്ചിട്ടുള്ളപക്ഷം ആ ഉദ്യോഗസ്ഥനെ അവിടന്നു സ്ഥലംമാററാൻ ഗവൎമ്മെൻറിനു ദയവുണ്ടാകുമോ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): That is a hypothetical question.

DEPUTY PRESIDENT: You just ask for information and then you yourself make a recommendation as to the action to be taken.

Extension of the Tiruvitamcode channel.

79. **MR. T. C. KESAVA PILLAI** (*Kalkulam* cum *Vilavankod*): Will the Government be pleased to state:

(*a*) whether estimates and plans have been prepared for the extension of the Tiruvitamcode channel *via* (i) Thickanamcode; (ii) Thengapattanam through Palliyadi; and

(*b*) if the answer to part (*a*) is in the affirmative, why the extensions are not sanctioned?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) An estimate was prepared by the P. W. D. Sub-Division Officer.

(*b*) No useful purpose would be served by the execution of the work until water is found available for the extension of cultivation under fresh channels.

Arasukulam Vaikal, Vilavankod taluk.

80. **MR. T. C. KESAVA PILLAI** (*Kalkulam* cum *Vilavankod*): Will the Government be pleased to state:

(*a*) whether an estimate in respect of Arasukulam Vaikal in Painkulam pakuti, Vilavankod taluk, is pending the sanction of Government; and

(*b*) if the answer to part (*a*) is in the affirmative, why sanction is delayed?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) No.

(*b*) This does not arise in view of the answer to part (*a*).

Delay in obtaining permits, etc.

81. **MR. S. PIRAVIPERUMAL PILLAI** (*Commerce and Industry, South*): Will the Government be pleased to enquire and state;

(*a*) whether considerable difficulty is being experienced by motor bus owners on account of delay in obtaining their documents without which they cannot run their buses;

(*b*) the number of permits issued in 1100 and 1105 respectively;

(*c*) the number of driving licenses issued in 1100 and 1105 respectively;

(*d*) the number of conductors' pass-books issued in 1100 and 1105 respectively;

(*e*) the number of registration certificates issued in 1100 and, 1105 respectively;

(*f*) the number of index cards maintained in 1100 and 1105 respectively;

(*g*) the number of timings issued in 1100 and 1105 respectively;

(*h*) the number of letters received in the motor section of the office of the Commissioner of Police in 1100 and 1105 respectively;

(*i*) the number of letters despatched from the section in 1100 and 1105 respectively;

(*j*) the amount realised as fees, etc., in 1100 and 1105 respectively;

(*k*) the number of hands in the Motor Section of the office of the Commissioner of Police in 1100 and 1105 respectively; and

(*l*) the action, if any, taken by Government to minimise the hardship experienced by motor bus owners on account of the delay in obtaining permits, etc.?

MR. K. GEORGE (*Chief Secretary to Government*); (*a*) The average time for a permit to be issued is three days. Experience shows that much correspondence and delay arise owing to failure to comply with the rules regarding the filling in of the application form, the prescribed measurements in the construction of bus bodies, and in the conduct of the sixth monthly examination in time. There is also some delay in the Commissioner's office when work in the motor section is unusually heavy, *i. e.*, when motor driving licenses are due for renewal (Chingom 1st).

(*b*)	1100	...	288		
	1105	...	1408		
(*c*)	1100	...	1136		
	1105	...	8311		
(*d*)	1100	...	Nil		
	1105	...	1069		
(*e*)	1100	...	278		
	1105		1258		
(*f*)	1100	...	Nil		
	1105	...	Permit and periodic test cards—2914 Drivers cards—7031		
(*g*)	1100	...	98		
	1105	...	651		
(*h*)	No. of letters received in 1100			...	2678
	Do. Do. in 1105			...	26725
(*i*)	Do. despatched in 1100			...	3137
	Do. Do. in 1105			...	40554
(*j*)	1100	...	Rs. 14,412-0-0		
	1105	...	Rs. 87,559-19-7		
(*k*)	1100	...	2		
	1105	...	14 + 1 Typist.		

[Mr. K. George.]

(*l*) Steps are being taken to amend Rule 23 (1) (*a*) of the Motor Vehicles Rules, with a view to give currency to motor driving licenses for 12 months from date of issue, instead of during the Malabar year of issue as at present, so that the renewal of all such licenses will not come up together on the 1st Chingom as at present, but will be distributed throughout the year. With the amending of the Rules, it is hoped that any little delay in the matter in the Commissioner's office could be avoided.

Revenue of the Trivandrum Municipality under toll-gate collections, etc.

82. **MR. S. PIRAVIPERUMAL PILLAI** (*Commerce and Industry, South*): Will the Government be pleased to state :

(*a*) the amount collected by the Trivandrum Municipality in the shape of tolls and compounding fees from motor vehicle owners during each of the years 1103, 1104 and 1105 ;

(*b*) the uses to which this amount has been put ;

(*c*) the amounts collected by the Trivandrum Municipality under vehicle tax (other than motors) during each of the years 1103, 1104 and 1105 ; and

(*d*) the uses to which this amount has been put ?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*); (*a*) The information wanted by the member is not available.

(*c*) *Year.*	*Amount.* Rs.	Ch.	C.
1103	2,381	0	0
1104	2,740	21	0
1105	2,628	7	0

(*b*) and (*d*) The receipts are merged in the general revenues of the Municipality. There is no earmarking of any item of revenue for any particular purpose.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Am I to understand that the Municipality does not keep any account of the tolls collected ?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*) : No, that is not it. Toll-gates were given on contract in the years 1103, 1104 and the first half of 1105. During the second half of 1105 the Karamanai toll-gate was managed departmentally and the other toll-gates continued to be worked on contract as before.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): I am not concerned whether it was done on contract system or not. What I want to know is the amount collected by the Municipality?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*) : So far as toll-gates worked by contractors are concerned, the Municipality does not keep accounts to show how much tolls were collected from motor cars and how much from other conveyances. That information is therefore not available.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): My question is, will the Government be pleased to state the amount collected by the Trivandrum Municipality in the shape of tolls and compounding fees from motor vehicle owners during each of the years 1103, 1104 and 1105. It does not matter whether it has been collected by contractors or whether the contractor keeps accounts and not the Municipality.

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): What I say is, the contractor may keep accounts; but the Municipality has no accounts regarding the collections.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Am I to understand then that compounding fees are collected by the contractors and not by the Municipalities?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Only one compounding fee of Rs. 100 has been collected by the Municipality. That was from the Pioneer Motor Company and in the second half of 1105.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): So, am I to understand that no compounding fee was collected in the years 1103 and 1104?

MR C. O. MADHAVAN (*Ag. Secretary to Government*): No.

Facilities for loading and unloading cargo at Pulimuttukadavu.

83. **MR. S. PIRAVIPERUMAL PILLAI** (*Commerce and Industry, South*): Will the Government be pleased to enquire and state:

(*a*) the quantity of cargo loaded and unloaded daily at the Pulimuttukadavu in Chirayinkil;

(*b*) whether their attention has been drawn to the considerable inconvenience felt by merchants in particular and others in general on account of the inadequate facilities for loading and unloading their goods at this kadavu;

(*c*) if so, the action taken by them to remove this inconvenience; and

(*d*) whether it is a fact that the road leading to the kadavu is so narrow as not to afford passage for carts freely to move, and, if so, whether they will remove the difficulty caused?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*):

(*a*) The information is not available.

(*b*) The answer is in the negative.

(*c*) This does not arise.

(*d*) The road is reported to be 18 feet wide and serves the purpose for the present.

Transfer of married women in the Education Department.

84. **MR. A. G. MENON** (*Parur*): Will the Government be pleased to state:

(*a*) whether it is not a fact that the Chief Inspectress of Girls' Schools often transfers married lady employees in her department to

[Mr. A. G. Menon.]

places different from those in which their husbands are employed, without sufficient reason and without giving any heed to the grievances of the teachers concerned; and

(b) what, if such is the fact, Government have done to divert her from such a course?

MR. K. GEORGE (*Chief Secretary to Government*): (a) No.

(b) In view of the answer to part (a) above, this does not arise.

Conversion of the Kilimanur-Madavur trace into a cart road.

85. **MR. K. P. NILAKANTA PILLAI** (*Chirayinkil*): With reference to the conversion of the Kilimanur-Madavur trace into a cart road, will the Government be pleased to state to what extent the road has been completed and why the conversion has not been completed?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The whole length of the road has been made fit for traffic except for a stream crossing which requires a bridge of 25 feet span for which an estimate is being prepared. Gravelling is also required which will be taken up when funds become available.

Conversion of the Attingal-Dalavapuram trace into a cart road.

86. **MR. K. P. NILAKANTA PILLAI** (*Chirayinkil*): With reference to the conversion of the Attingal-Dalavapuram trace into a cart road, will the Government be pleased to state when the work was started and why the work has not yet (14-4-1106) been completed?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The trace consists of three sections of which the second section was started on the 7th Kumbham 1103 and is in progress. Only the bridge at the end portion remains yet to be done. The estimates for the I and III sections are being examined by the Chief Engineer and the Executive Engineer respectively.

Construction of two culverts in the Varkala-Paripalli road.

87. **MR. K. P. NILAKANTA PILLAI** (*Chirayinkil*): Will the Government be pleased to state whether the attention of the Public Works Department has been drawn to the necessity of constructing two culverts near Nadayara on the Varkala-Paripalli road in Chirayinkil taluk, and, if so, what action has been taken in the matter?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The reply is in the negative.

Construction of a road between Velinallur and Pallikkal.

88. **MR. K. P. NILAKANTA PILLAI** (*Chirayinkil*): Will the Government be pleased to state:

(a) whether an estimate has been prepared for the construction of a road between Velinallur and Pallikkal, in Chirayinkil taluk;

(b) whether the estimate has been sanctioned; and

(c) if the answers to parts (a) and (b) are in the affirmative, why the work is not yet (14-4-1106) begun?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (a) Yes.

(b) No.

(c) This does not arise in view of answer to part (b).

Construction of a road from the 28th mile of the Trivandrum-Quilon road to Palavacode.

89. **MR. K. P. NILAKANTA PILLAI** (*Chirayinkil*): Will the Government be pleased to state whether there was any representation for the construction of a road from the 28th mile in the Trivandrum-Quilon road to Palavacode joining the Paripalli-Pallikkal road, and, if so, what action has been taken in the matter?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The Executive Engineer, Trivandrum, received a petition from the people of the locality, and as the portion that requires improvement has very steep gradients, the people were asked to state whether they would surrender the land required for deviating the road, free of compensation No reply has been received from them even after the lapse of one year.

Construction of a road from Kadakavur to Anathalamuttam.

90. **MR. K. P. NILAKANTA PILLAI** (*Chirayinkil*): Will the Government be pleased to state whether they have received any representation regarding the construction of a road from Kadakavur to Anathalamuttam *via* old bridge in the Chirayinkil taluk, and, if so, what action has been taken in the matter?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes. The petition was referred to the Chief Engineer who reported that the cost of making the road prayed for, which will be 2 miles in length, and of the other works will be about Rs. 18,800, including land compensation which will approximately come to Rs. 3,600, for the people are not willing to give the required lands free. As the estimated cost was prohibitive for such a short length no further action was taken on the matter.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether it is the declared policy of the Government, that unless people are prepared to surrender lands necessary for opening roads, Government are not prepared to open roads?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Generally, when the road is very important from other public considerations Government take the initiative. But in other cases it is only when lands are surrendered free that fresh roads are undertaken to be opened.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know what those considerations are?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): General public utility, the amount of traffic on the road, and certain other things.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): With reference to this particular road may I know whether it is not for the advantage of the general public that this road is being asked to be opened?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): It has not been reported to be sufficiently useful.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know, from the member, in what part of the Chirayinkil taluk this road is asked to be opened?

DEPUTY PRESIDENT: What is your question, please?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I invite the attention of the member that it is in the most thickly and most flourishing part of the taluk, from the point of view of trade facilities. that this particular road is asked to be opened?

DEPUTY PRESIDENT: That is supplying information.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Yes, Sir. When the answer came that unless it is for public utility Government are not prepared to open roads, I had to explain to them, that the road now asked for is in a place which is most thickly populated and in a most flourishing condition in the whole of Chirayinkil taluk. So I am supplying information

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The information is noted.

Qualifications for appointment as Sub-Registrars.

91. **MR. ITTOOP ITTEECHAN** (*Kunnatnad*): Will the Government be pleased to state:

(*a*) whether they have issued, at any time, an order to the effect that even out of those who have passed the S. S. L. C. Examination, only such as are particularly efficient and have put in a service of not less than 15 years be appointed as Sub-Registrars;

(*b*) if so, the number of the S. S. L. C. certificate holders eligible only for College admission appointed as Sub-Registrars by the present Director of Registration; and

(*c*) if such appointments have been made, the reasons therefor?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) No.

(*b*) and (*c*) These do not arise in view of the answer to part (*a*).

MR. ITTOOP ITTEECHAN (*Kunnatnad*): സബ്‌രജിസ്റ്റർമാരായിട്ടു നിയമിക്കപ്പെടുന്നവക്ക് ഇന്നയിന്ന ക്വാളിഫിക്കേഷൻ ഉണ്ടായിരിക്കണമെന്നുള്ള സംഗതിയെപ്പററി ഇങ്ങനെ ഒരു ഉത്തരവുണ്ടായിട്ടില്ല എന്നാണ് മറുപടി. എന്നാൽ ൧൯൧൦-ാമാണ്ട് ജനുവരിമാസത്തിൽ മി. രാജഗോപാലാചാരി ദിവാൻജിയുടെ കാലത്തു ൧൫ കൊല്ലത്തിൽ കുറഞ്ഞ സവീസുള്ളവരേയും സ്കൂൾഫൈനലോ എഫ്.ഏയോ പാസ്സാകാത്തവരേയും സബ്‌രജിസ്റ്റാർമാരായി നിയമിക്കുന്നതിനു ശുപാർശചെയ്തുകൂടാ എന്നു ഒരു ജി. ഒ. ഉണ്ടായിട്ടുള്ളതായി അറിയാമോ?

MR. K. GEORGE (*Chief Secretary to Government*): അങ്ങിനെ ഒരു ജി. ഒ. ഉണ്ടോ എന്നു അന്വേഷിക്കാം. ഇപ്പോഴുള്ള പേപ്പർസിൽ അങ്ങിനെയുള്ളതായി കാണുന്നില്ല.

MR. ITTOOP ITTEECHAN (*Kunnatnad*): അങ്ങിനെ ഒരു ഉത്തരവുണ്ടോ എന്നു അന്വേഷിക്കാമോ?

MR. K. GEORGE (*Chief Secretary to Government*): അന്വേഷിക്കാം.

Entertainment of married women in the Education Department.

92. **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*): Will the Government be pleased to state :

(*a*) whether the present Inspectress of Girls' Schools has submitted any proposals to Government prejudicial to the entertainment of married women in the department under her ;

(*b*) if the answer to part (*a*) is in the affirmative, whether they will lay a copy of the same on the table ;

(*c*) what action they have taken in the matter, if they have taken any ; and

(*d*) whether they are aware that associations of ladies in Trivandrum or elsewhere have passed resolutions condemning such proposals ?

MR. K. GEORGE (*Chief Secretary to Government*) : (*a*) The Inspectress of Girls' Schools recommended to the Director of Public Instruction that the present rule prohibiting the marriage of women clerks of her office may be extended to the case of her Personal Assistant as well as the Assistant Inspectresses of Girls' Schools. The former alone was recommended to the Government by the Director of Public Instruction.

(*b*) No, as recommendations from Heads of Departments are confidential.

(*c*) Government have not accepted the recommendation of the Director.

(*d*) Government are not aware.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : With reference to part (*a*), may I know whether the proposal did not touch the case of women teachers in the department as well ?

MR. K. GEORGE (*Chief Secretary to Government*) : No.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : May I know whether the Government have received a copy of the resolution passed by the Lady Graduates' Association in Trivandrum ?

DEPUTY PRESIDENT : The answer is given there.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : My question is whether the Government got a copy of the resolution?

MR. K. GEORGE (*Chief Secretary to Government*) : The answer is that the Government are not aware

G. O. re sale of immovable property for arrears of land tax.

93. **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*): With reference to the G. O. issued under date the 31st October 1930, relating to the sale of immovable property for arrears of land tax, will the Government be pleased to state:

(*a*) whether the said G. O. was passed by Government on their own initiative or on the recommendation made by the Head of the Revenue Department;

(*b*) the reasons for passing such a measure at this juncture; and

(*c*) the number of cases in which they had to purchase properties in revenue auction for a nominal sum of ch. 1 in the several taluks of the State during each of the years 1100 up to date (17-4-1106) together with the extent of the land that was sold in each case and the arrears of tax for which each of those plots was sold and purchased by them?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (*a*) The G.O. was passed on the recommendation made by the Land Revenue Commissioner.

(*b*) The G. O. was passed with a view to safeguard the interests of Government in the matter of realisation of land revenue.

(*c*) A statement* furnishing the required particulars is laid on the table.

Perurkadai Primary School for Girls.

94. **MR. A. THANU PILLAI** (*Trivandrum*): Will the Government be pleased to state:

(*a*) whether it is a fact that the Perurkadai Girls' Primary School building fell down during the rains in 1105;

(*b*) if the answer to part (*a*) is in the affirmative, why the building fell down;

(*c*) whether this building was built by the people and handed over to the department;

(*d*) the year in which it was handed over;

(*e*) whether the building in which the school is now (18-4-1106) held has been condemned by the Inspectress of Schools; and

(*f*) if the answer to part (*e*) is in the affirmative, why the school has not been shifted to some safe building?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) The building of the Perurkadai Primary School for Girls fell down on the 26th Medom 1105.

(*b*) The building fell down as it was very old and in an unsound condition.

(*c*) Yes.

(*d*) The information is not available.

(*e*) No.

(*f*) This does not arise in view of the answer to part (*e*) above.

**Vide* Appendix XII—pages 355 to 357

MR. A. THANU PILLAI (*Trivandrum*): What is the basis of the information that the building was very old?

MR. K. GEORGE (*Chief Secretary to Government*): The information is based on facts given both by the P. W. D. and the Education Department.

MR. A. THANU PILLAI (*Trivandrum*): Was the opinion given by the P. W. D. before the building fell down or was it after?

MR. K. GEORGE (*Chief Secretary to Government*): Before the building fell down.

MR. A. THANU PILLAI (*Trivandrum*): So, the P. W. D. reported that the building was in an unsound condition before it fell down?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. A. THANU PILLAI (*Trivandrum*): Is it customary for the P. W. D. to inspect these school buildings?

MR. K. GEORGE (*Chief Secretary to Government*): They do it at the instance of the department or of the Government.

MR. A. THANU PILLAI (*Trivandrum*): Was the school building at the maintenance of the P. W. Department?

MR. K. GEORGE (*Chief Secretary to Government*): No, it was not.

MR. A. THANU PILLAI (*Trivandrum*): What was the occasion for the P. W. D. to report about this matter?

MR. K. GEORGE (*Chief Secretary to Government*): They were asked to report.

MR. A. THANU PILLAI (*Trivandrum*): Before the building fell down was there any report before Government that it was in an unsound condition?

MR. K. GEORGE (*Chief Secretary to Government*): There was an estimate for repairs.

MR. A. THANU PILLAI (*Trivandrum*): Was any repairs effected?

MR. K. GEORGE (*Chief Secretary to Government*): Before that, the building fell down.

MR. A. THANU PILLAI (*Trivandrum*): May I know whether the building was thatched in the year 1105?

MR. K. GEORGE (*Chief Secretary to Government*): No, it was not thatched in 1105. It was thatched in 1103 and 1104.

MR. A. THANU PILLAI (*Trivandrum*): May I know the time for thatching these departmental schools?

MR. K. GEORGE (*Chief Secretary to Government*): A little before the monsoon, I believe.

MR. A. THANU PILLAI (*Trivandrum*): In what months, please?

MR. K. GEORGE (*Chief Secretary to Government*): During Minam and Medam.

MR. A. THANU PILLAI (*Trivandrum*) : So a departmental school is allowed to remain unthatched till the end of Medam ?

MR. K. GEORGE (*Chief Secretary to Government*) : I am speaking from my own experience.

MR. A. THANU PILLAI (*Trivandrum*) : That is done in regard to our own houses. (*Laughter.*)

MR. K. GEORGE (*Chief Secretary to Government*) : Whether it is a house or a school building it does not matter.

MR. A. THANU PILLAI (*Trivandrum*) : Is there any rule as regards the thatching of these schools every year ?

MR. K. GEORGE (*Chief Secretary to Government*) : There is no rule.

MR. A. THANU PILLAI (*Trivandrum*) : May I know when the report was made that the building was in an unsound condition ?

MR. K. GEORGE (*Chief Secretary to Government*): In April 1930. That is about Minam.

MR. A. THANU PILLAI (*Trivandrum*) : Was it the report of the Head Mistress ?

MR. K. GEORGE (*Chief Secretary to Government*) ; What the Government got was the report of the Acting Director of Public Instruction.

MR. A. THANU PILLAI (*Trivandrum*) : A few days after the report was received the building fell down. Is that the way in which schools used by children are allowed to remain and repaired. No departmental schools are allowed to be in such condition.

DEPUTY PRESIDENT : That is not an interpellation to be answered, Mr. Thanu Pillai. That is a censure.

MR. A. THANU PILLAI(*Trivandrum*) : Then I want to get a piece of information.

DEPUTY PRESIDENT : You may ask.

MR. A. THANU PILLAI (*Trivandrum*) : I want to make a point clear.

DEPUTY PRESIDENT : You can put in any number of questions without implying a censure.

MR. A. THANU PILLAI (*Trivandrum*) In this particular instance it so happened that you got the report about the unsound condition of the building in April and a few days after that the building fell down. I make that statement because it is a matter affecting the lives of poor boys and girls.

MR. K. GEORGE (*Chief Secretary to Government*) : The unsound nature of the building was reported to Government by proper authorities before the building fell down. That is all I can say.

MR. A. THANU PILLAI (*Trivandrum*) : The building itself is very old and no information is available as to when that was constructed and handed over to the department. I wish to know how this statement was made that it was very old ?

MR. K. GEORGE (*Chief Secretary to Government*): The building was very old from its appearance. The records do not show when it was handed over to the department.

MR. A. THANU PILLAI (*Trivandrum*): Is there any record to show that the building was handed over to the department by the people?

MR. K. GEORGE (*Chief Secretary to Government*): No.

MR. A. THANU PILLAI (*Trivandrum*): Is there anything to show that this is a Government building?

MR. K. GEORGE (*Chief Secretary to Government*): They have their own record.

MR. A. THANU PILLAI (*Trivandrum*): When it was reported to be in an unsound condition, why was the building allowed to stand as it was?

MR. K. GEORGE (*Chief Secretary to Government*); Government wanted to sanction an estimate for repairs. Neither the department nor the Government thought that the building would collapse.

MR. A. THANU PILLAI (*Trivandrum*): Are there frequent inspections of these school buildings by any authority?

MR. K. GEORGE (*Chief Secretary to Government*): There is the departmental Overseer who inspects these buildings.

MR. A. THANU PILLAI (*Trivandrum*): Is it once in a year or once in two years?

MR. K. GEORGE (*Chief Secretary to Government*): I cannot say how often he inspects these buildings. Whenever necessary, inspections are made.

MR. A. THANU PILLAI (*Trivandrum*): Is there any rule that these schools should be housed only in a safe place?

MR. K. GEORGE (*Chief Secretary to Government*); There is no need to have any rule to that effect.

MR. A. THANU PILLAI (*Trivandrum*): Is there any understanding to that effect?

MR. K. GEORGE (*Chief Secretary to Government*): It is only common sense that schools shall be housed in safe buildings.

MR. A. THANU PILLAI (*Trivandrum*): My point is, the building could have fallen down when the school children were there. That is a dangerous condition.

MR. K. GEORGE (*Chief Secretary to Government*); The commonsense view is that only safe buildings should be used for schools.

Trivandrum Water Works.

95. **MR. A. THANU PILLAI** (*Trivandrum*): With reference to the Trivandrum Water Works, will the Government be pleased to state:

(*a*) the amount allotted for 1105;

(*b*) the amount spent during 1105;

(*c*) the portion of the amount spent in 1105 under each of the heads (i) materials; (ii) execution of work; and (iii) staff;

[Mr. A. Thanu Pillai.]

(d) the amount allotted for 1106;

(e) the amount spent for execution of work during the first quarter of 1106; and

(f) the year in which the work is expected to be completed?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (a) Rs. 8 lakhs.

(b) Rs. 8,74,725.

(c) (i) Rs. 6,05, 646.

(ii) Rs. 2,14,604.

(iii) Rs. 46,108, including the staff for land acquisition.

(d) Rs. 18 lakhs, since reduced to 13 lakhs.

(e) Rs. 45,318.

(f) The scheme is expected to be brought into operation by the end of 1107 or early in 1108.

Pipe laying in connection with the Trivandrum Water Works.

96. **MR. A. THANU PILLAI** (*Trivandrum*): With reference to the Trivandrum Water Works, will the Government be pleased to state:

(a) the dates on which the main pipes were paid for;

(b) the amount of each of those payments;

(c) the dates on which the pipes were supplied at Trivandrum; and

(d) the date on which pipe laying commenced?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (a) and (b)

Date of payment.	*Amount.* Rs.	Ch.	C.
28-3-1929	38,780	10	0
25-4-1929	40,490	10	0
26-4-1929	21,771	27	0
7-5-1929	1,828	2	0
15-5-1929	30,657	24	0
5-6-1929	35,877	12	0
13-6-1929	3,271	11	0
29-6-1929	31,140	9	0
5-7-1929	27,754	26	0
11-7-1929	38,931	0	0
26-7-1929	86,560	17	0
9-8-1929	44,778	16	8
14-8-1929	1,78,562	19	0
15-8-1929	10,063	15	8
16-8-1929	9,136	8	0
30-9-1929	49,917	21	0
29-10-1929	22,222	24	8
6-1-1930	36,812	23	8
15-8-1930	1,94,885	1	0
26-11-1930	11,111	26	8
	9,14,555	23	8

(c) 9, 11, 13, 15 to 27-2-1929; 1, 4, 5, 9, 11, 12, 14, 16, 18, 29 and 30-3-1929; 1, 2, 8, 9, 13, 14, 15, 16, 17, 19, 21, 26, 27, 29 and 30-4-1929; 1, 11, 12, 19, 21, 24, 28, 30 and 31-5-1929; 2, 4 to 10, 13 14, 16, 19, 20, 22, 23, 24, 25, 26, 27 and 30-6-1929; 2, 3, 4, 6, 9, 10 to 16, 20 to 22, 24, 25, 27, 28, 29, 30 and 31-7-1929; 1, 2, 3, 4, 7, 8, 9, 10, 12, 13, 14, 15, 17, 20 to 24, 27, 28 and 30-8-1929; 2, 3, 6, 7, 8, 9, 12 and 13-9-1929.

(d) 7-11-1930.

Urinal for the Trivandrum District and Munsiffs' Courts.

97. **MR. A. THANU PILLAI** (*Trivandrum*): Will the Government be pleased to state whether they are aware that there is no urinal arrangement for parties and vakils in the Trivandrum District and Munsiffs' Courts?

MR. K. GEORGE (*Chief Secretary to Government*): Yes. Arrangements have been made to construct a urinal in the local District Court compound.

Expenses incurred in repairing minor irrigation tanks.

98. **MR. K. MADHAVAN PILLAI** (*Trivandrum* cum *Neduvangad*): (1) Are the Government aware that contributions of money due from ryots in yearly instalments towards expenses incurred in repairing minor irrigation tanks are often levied in lump sums made up of the dues of several years?

(2) If so, will they be pleased to state whether they have considered the desirability of issuing orders insisting upon the collection of these dues in ten yearly instalments?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (1) The Land Revenue Commissioner reports that in 7 cases in the Trivandrum Division, the annual instalments for one or two years due from the ryots on account of their share of the cost of restoration of minor irrigation works were recovered in lump.

(2) Instructions have been issued to the effect that the orders contained in Rule 3 of the revised Irrigation Rules, dated 20-5-1923, for the collection of the dues in 10 yearly equal instalments, should be strictly adhered to.

Dispensing with the services of married women in the Education Department.

99. **MR. A. G. MENON** (*Parur*): Will the Government be pleased to state whether it is a fact that the Chief Inspectress of Girls' Schools has written to them about the necessity or advisability of dispensing with the services of married women in her department and, if such a communication has been received by them, what action they have taken on it?

MR. K. GEORGE (*Chief Secretary to Government*): The Inspectress of Girls' Schools sends no direct reports to Government; but at her instance the Director of Public Instruction recommended that the present rule prohibiting the marriage of women clerks of the office of the Inspectress may be extended to the case of her Personal Assistant also, and Government have not accepted this recommendation.

Medical inspection of schools.

100. **MR. V. S. KRISHNA PILLAI** (*Tiruvalla*): (1) Will the Government be pleased to state whether there is any law or order in force for the medical inspection of schools in the State?

(2) Will they be pleased to lay on the table a list of the schools inspected by the medical officers and the number of pupils treated in each school?

MR. K. GEORGE (*Chief Secretary to Government*): (1) Yes. Medical inspection of school children is compulsory in Departmental English Schools, but it is optional in private schools.

(2) The information cannot be furnished as the period for which it is asked for is not specified.

MR. V. S. KRISHNA PILLAI (*Tiruvalla*). ഗവൺമെൻറ് സ്കൂളുകളെപ്പോലെ തന്നെ വൈദ്യസഹായം പ്രൈവററ് സ്കൂളുകളിലും ആവശ്യമുള്ളതായി ഗവൺമെൻറു വിചാരിക്കുന്നുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): അങ്ങിനെ ഉണ്ടായിരുന്നാൽ അതു് നല്ലതാണെന്നു ഗവൺമെൻറിനറിയാം.

MR. V. S. KRISHNA PILLAI (*Tiruvalla*): ആ സ്ഥിതിക്കു പ്രൈവററ് സ്കൂളുകളിലും അതു് നിർബന്ധിതമാക്കണമെന്നു ഗവൺമെൻറു വിചാരിക്കുന്നുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): അതിനെപ്പററി ഗവൺമെൻറു് ആലോചിക്കുന്നതാണ്.

Condition of the Varkala-Nedunganda road.

101. **MR. S. PIRAVIPERUMAL PILLAI** (*Commerce and Industry, South*): Will the Government be pleased to enquire and state:

(*a*) the amount allotted during 1105 for the maintenance of the portion of the road newly extended from Varkala to Nedunganda (Onnanpalam);

(*b*) the amount actually spent over this portion during 1105;

(*c*) the amount spent during 1106 (up to 1st Vrischikam) on the said portion of the road; and

(*d*) whether it is a fact that the condition of the road is so bad that traffic is impossible, and, if so, the action taken to remove this difficulty?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*):

(*a*) Rs. 150.

(*b*) Rs. 300.

(*c*) Rs. 4-7-0.

(*d*) No. The road is fit for traffic.

Canal from Kozhitottam Onnanpalam to Nadayara Palam.

102. **MR. S. PIRAVIPERUMAL PILLAI** (*Commerce and Industry, South*): Will the Government be pleased to enquire and state:

(*a*) the amount allotted for the maintenance of the canal from Kozhitottam Onnanpalam to Nadayara *palam* during each of the years 1104 and 1105;

(*b*) the amount actually spent during each of these years; and

(*c*) whether it is a fact that the boatmen and others have represented their grievances regarding the shallowness of the canal and the consequent difficulties which have made navigation hard ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) Rs. 2,400 per year.

(*b*) 1104 Rs. 3,547.
1105 Rs. 2,192.

(*c*) Yes. In 1103 it was brought to notice that the portion of the canal (T. S. canal 21 to 26 miles) was shallow, and the portion was deepened by the Bucket Dredger.

Road connecting the Vanchiyoor road and the Convent road in Trivandrum.

103. **MR. A. THANU PILLAI** (*Trivandrum*): With regard to the road proposed to be newly opened to connect the Vanchiyoor road and the Convent road, will the Government be pleased to state:

(*a*) whether there is any proposal to vary the sanctioned estimate in regard to the width of the road ; and

(*b*) if the answer to part (*a*) is in the affirmative, the reason for the variation and the authority for it ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*):

(*a*) No.

(*b*) This does not arise in view of the answer to (*a*) above.

Board of Examiners for the conduct of the S. S. L. C. Examination of 1930.

104. **MR. K. MADHAVAN PILLAI** (*Trivandrum* cum *Neduvangad*): Will the Government be pleased to state:

(*a*) whether there are proposals now (18-4-1106) before them for the constitution of a Board of Examiners for the conduct of the School Leaving Certificate Examination of 1931 ; and

(*b*) if the trend of the criticisms in the Legislative Council on the motion for adjournment of the business of the House to consider the question of unsatisfactory results in the S. S. L. C. Examination of 1930 would be borne in mind in constituting the committee ?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) and (*b*) Government have already sanctioned the constitution of a Board of Examiners for the year 1931 with due regard to their qualifications and past experience in the matter.

Re-valuation of answer papers for the S. S. L. C. Examination of 1930.

105. **MR. K. MADHAVAN PILLAI** (*Trivandrum* cum *Neduvangad*): Will the Government be pleased to state whether the process of revaluation of answer papers brought to light faulty or unfair judgment on the part of any examiners, and, if so, what steps are taken against those responsible for the nomination of such examiners, if any ?

MR. K. GEORGE (*Chief Secretary to Government*): Part (*a*). No. Part (*b*). In view of the answer to the previous part this does not arise.

Age of an Officer of the Secretariat.

106. **MR. A. THANU PILLAI** (*Trivandrum*): Will the Government be pleased to state:

(*a*) whether they have received a representation that an officer of the Huzur Secretariat is over 55 years of age and that the age he has given is false; and

(*b*) if the answer to part (*a*) is in the affirmative, when the representation was received, about whom, and the action, if any, taken thereon?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes.

(*b*) The petition was received in April 1930. It was about the age of Mr. A. Padmanabha Aiyar, one of the Superintendents in the Secretariat. The petition was enquired into and as the allegation was found to be false, it was recorded.

MR. A. THANU PILLAI (*Trivandrum*): May I know the nature of the enquiry that was made?

MR. K. GEORGE (*Chief Secretary to Government*): The officer's explanation was obtained.

MR. A. THANU PILLAI (*Trivandrum*): Was that all the enquiry that was made?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. A. THANU PILLAI (*Trivandrum*): May I know the nature of the explanation?

MR. K. GEORGE ((*Chief Secretary to Government*): The nature of the explanation is that the entries in the documents are wrong being themselves inconsistent. The entry in the service book was made years ago and that is correct and the entry of the date of birth of his brother in palace employment was wrong and that he is prepared to prove that.

MR. A. THANU PILLAI (*Trivandrum*): How many entries were referred to in that petition?

MR. K. GEORGE (*Chief Secretary to Government*): Two.

MR. A. THANU PILLAI (*Trivandrum*): That is to say the entry in the document and the entry in the Palace service book?

MR. K. GEORGE (*Chief Secretary to Government*): Only the entry in two documents was referred to by the petitioner. The petitioner also said that the date of birth of the younger brother as put down in his service book was earlier than the date of birth of Mr. Padmanabha Aiyar.

MR. A. THAHU PILLAI (*Trivandrum*): That was the age of the younger brother who retired in his 55th year from the Palace?

MR. K. GEORGE (*Chief Secretary to Government*): According to his service book he retired in his 55th year.

MR. A. THANU PILLAI (*Trivandrum*): That is years ago. He has retired from service and his elder brother in the Secretariat is not yet 55?

MR. K. GEORGE (*Chief Secretary to Government*): The entry in the Palace service book was wrong.

MR. A. THANU PILLAI (*Trivandrum*): Was any notice issued to the petitioner saying that the entries were wrong and asking him to prove them?

MR K. GEORGE (*Chief Secretary to Government*): The petitioner only made mention of two documents and copies of the documents were furnished. There was no necessity for issuing notice to him. No reliance could be placed on those documents.

MR. A. THANU PILLAI (*Trivandrum*): According to both those documents he was over 55?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. A. THANU PILLAI (*Trivandrum*): Am I to take it that the Government were satisfied with Mr. Padmanabha Aiyar's statement that the entries in those documents were thoroughly incorrect.

MR. K. GEORGE (*Chief Secretary to Government*): Government were satisfied that the entries in those documents were thoroughly wrong.

MR. A. THANU PILLAI (*Trivandrum*): Was it through any judicial enquiry that the Government were satisfied that the explanation is correct?

MR. K. GEORGE (*Chief Secretary to Government*): No judicial enquiry was made.

MR. A. THANU PILLAI (*Trivandrum*): Who was the particular officer concerned in calling for this explanation?

MR. K. GEORGE (*Chief Secretary to Government*): He was a subordinate of the Secretariat and the Head of the office made the enquiry.

MR. A. THANU PILLAI (*Trivandrum*): Was it the learned Chief Secretary who made the enquiry?

MR. K. GEORGE (*Chief Secretary to Government*): Yes, the Chief Secretary was the person who got his explanation.

MR. A. THANU PILLAI (*Trivandrum*); Did Government think it necessary to make any enquiry in regard to Mr. Padmanabha Aiyar's explanation?

MR. K. GEORGE (*Chief Secretary to Government*): Government did not think it necessary to conduct any regular enquiry.

MR. A. THANU PILLAI (*Trivandrum*): Do Government think it necessary to make enquiries when such matters are brought to their notice?

MR. K. GEORGE (*Chief Secretary to Government*): That is a general question. Each question will be decided on its own merits.

MR. A. THANU PILLAI (*Trivandrum*): Do Government insist on the rule of 55?

MR. K. GEORGE (*Chief Secretary to Government*): They do, except in the case of ministerial servants who may be retained in service up to 60 years of age.

MR. A. THANU PILLAI (*Trivandrum*): Is that the general rule?

MR. K. GEORGE (*Chief Secretary to Government*): They may be allowed extensions up to the 60th year.

MR. A. THANU PILLAI (*Trivandrum*): I find stated here that the allegation was found to be false. Am I to take it that Government went by the other statement, that is, the statement of the person concerned?

MR. K. GEORGE (*Chief Secretary to Government*): Government took into account the probabilities of the case.

MR. A. THANU PILLAI (*Trivandrum*); May I know the probabilities of the case except that it was Mr. Padmanabha Aiyar who could not have made a false statement?

MR. K. GEORGE (*Chief Secretary to Government*): That is an insinuation.

MR. A. THANU PILLAI (*Trivandrum*): There is also the entry in the other service book, which is also stated to be false?

DEPUTY PRESIDENT: I want to draw your attention to the fact that if you do not insist on the Government going by the Palace service book, the position of the Government is perfectly clear.

MR. A. THANU PILLAI (*Trivandrum*): There might be other documents as well. Government are now making the statement that the petitioner's allegation was false. There has never been a statement that the allegation was substantiated.

DEPUTY PRESIDENT: That is alright. You need not pursue it. In the light of the information before the Government the allegation was found to be false. If other statements were given Government would have looked into them.

MR. A. THANU PILLAI (*Trivandrum*): Government could have come to the conclusion that Mr. Padmanabha Aiyar's statement was false and the other was correct.

DEPUTY PRESIDENT; You have to accept the judgment of the Government that the allegation is false. If fresh materials were placed before them they would have enquired into them. Now you have to accept their view. Do not proceed to cross-examine.

MR. A. THANU PILLAI (*Trivandrum*): The matter is quite clear. I don't want to pursue it.

Punishment of assistant Masters of Vilavurkal Primary School.

107. **MR. K. MADHAVAN PILLAI** (*Trivandrum* cum *Neduvangad*): Will the Government be pleased to state whether the assistant masters of Vilavurkal Primary School, who were examined as witnesses

in connection with an enquiry held by the Assistant Inspector regarding an allegation made against an assistant masters of that school were punished by the Officer in charge of the Office of the Inpector of Vernacular Schools for their ignorance of things said to have happened outside the school?

MR. K. GEORGE (*Chief Secretary to Government*): No.

Inspector of Mahomedan Schools.

108. **MR. H. B. MAHOMED ROWTHER** (*Pattanapuram* cum *Shencotta*): Will the Government be pleased to state whether the Inspector of Mahomedan Schools is now (17-4-1106) on leave and whether any one has yet been appointed to do his duties?

MR. K. GEORGE (*Chief Secretary to Government*): Mr. S. Mahomed Sulaiman B. A., Inspector of Mahomedan Schools, is on combined privilege and sick leave from the 2nd Chingom 1106 and Mr. A. Ahamed Kunju B. A., has been appointed to act for him. Mr. Ahamed Kunju took charge of his office on 17-6-1106.

Vacancies in the Secretariat not filled up.

109. **MR. D. C. JOSEPH** (*Agastisvaram*): (1) Will the Government be pleased to lay on the table a statement showing the number of permanent vacancies in the cadre of First, Second and Third Class clerks of the Secretariat remaining unfilled up till 1-7-1106?

(2) Will they be pleased to state the reasons for not filling them up?

MR. K. GEORGE (*Chief Secretary to Government*): (1) 3 vacancies in the First Class and 6 vacancies in the Third Class.

(2) All the nine vacancies have been filled up.

Dispensaries opened since the creation of the Administrative Board, Medical Services.

110. **MR. V. J. OOMMEN** (*Commerce and Industry, North*): Will the Government be pleased to lay on the table a statement showing the number of dispensaries opened since the creation of the Administrative Board, Medical Services?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): The member is referred to the statement laid on the table in answer to Mr. Tariatu Kunjitomman's Interpellation No. 353, published at page 638 of the Proceedings of the Council held on the 26th April 1929—Volume XIV, No. 8. In addition to the dispensaries mentioned in the said statement, two new dispensaries were opened at Palode and Ranni in 1105.

Appendix XI.

***Vide* Answer to Question No. 74**

Statement by caste of the appointments made by the District Registrars during 1104, 1105 and 1106.

No.	Caste.	Appointments made in 1104.			Appointments made in 1105.			Appointments made in 1106.		
		Permanent.	Temporary.	Acting.	Permanent.	Temporary.	Acting.	Permanent.	Temporary.	Acting.
	I. HINDUS.									
1	Brahmin (Malayala)	..	..	1	..	..	4	..	..	..
2	Do. (Others)	..	..	12	..	..	36	..	..	5
3	Ezhava	..	..	10	2	1	17	..	..	1
4	Kammala	..	..	4	..	..	5	..	..	1
5	Kshatriya	..	..	1	1	..	3	..	..	1
6	Nadars	..	..	1	..	..	4	..	..	..
7	Nayars	3	4	44	4	8	164	2	1	31
8	Pulaya	..	..	..	..	..	..	..	..	..
9	Vellala	..	..	3	..	1	8	..	..	4
10	Other depressed classes	..	..	1	1	..	6	..	..	..
11	Other Hindus	..	..	7	1	..	31	..	..	5
	II. MUSALMAN.	..	..	3	..	1	12	..	..	1
	III. CHRISTIANS.									
1	Protestants	..	..	3	1	1	7	..	..	1
2	Roman Catholics									
	(a) Latin rite	..	..	6	1	1	9	..	..	4
	(b) Syriac rite	..	..	4	..	..	14	..	..	2
3	Syrians									
	(a) Jacobite	1	..	6	..	..	15	..	..	7
	(b) Mar Thoma	..	..	5	..	1	13	..	..	6
4	Church of England	..	..	..	..	..	..	..	..	..

Appendix XII.

Vide Answer to Question No. 93.

Number of cases in which Government had to purchase properties in revenue auction for a nominal sum of Ch, 1 from 1100 to 1106.

Taluk.	Year.	No. of cases.	Extent of land sold.		Arrears of tax for which each plot was sold.			Remarks.
			Acre.	Cent.	Rs.	Ch.	C.	
Agastisvaram	1105	1	1	6	19	8	7	
Kalkulam	1105	1	One-fourth Oodukuru in 1 acre and 14 cents.		33	6	15	
Neduvangad	1102	1	2	84	15	4	4	
Karunagapalli	1102	1	..	13	38	18	12	
Do.	do.	1	..	10	32	16	8	
Do.	1103	1	..	20	33	22	4	
Do.	do.	1	..	10	15	27	2	
Do.	do.	1	..	21	42	4	8	
Do	1104	1	..	29	9	7	4	
Kunnattur	1102	1	..	7	..	10	14	
Do.	do.	1	..	3	..	26	8	
Do.	do.	1	..	10	..	15	4	
Do.	do.	1	..	4	..	12	7	
Do.	1103	1	..	9	2	27	6	
Do.	do.	1	..	3	..	17	6	
Do	do.	1	..	5	..	7	8	
Do.	do.	1	..	10	6	16	11	
Do.	do.	1	..	17	2	0	5	
Do.	do.	1	..	53	1	8	8	
Do.	do.	1	..	12	..	27	4	
Do.	do.	1	..	12	8	24	7	

Appendix XII.—(*Contd.*)

Taluk.	Year.	No. of cases.	Extent of land sold.		Arrears of tax for which each plot was sold.			Remarks.
			Acre.	Cent.	Rs.	Ch.	C.	
Kunnattur	1103	1	..	17	22	8	1	
Do.	do.	1	..	17	9	8	6	
Do.	do.	1	..	14	27	0	3	
Do.	do.	1	..	4	5	26	10	
Do.	do.	1	..	19	84	7	4	
Do.	do.	1	..	38	1	8	4	
Do.	do.	1	..	10	..	22	0	
Do.	do.	1	..	41	..	7	4	
Do.	do.	1	..	14	31	1	3	
Do.	do.	1	..	50	2	3	9	
Do.	do.	1	..	5	8	10	1	
Do.	do.	1	1	..	2	6	4	
Do.	do.	1	..	60	4	24	13	
Do.	do.	1	..	5	0	26	8	
Do.	do.	1	..	12	18	10	2	
Do.	do.	1	..	11	..	22	15	
Do.	1105	1	..	11	5	21	13	
Tiruvalla	1103	1	1	..	2157	4	0	
Kottayam	1105	1	..	5	1203	..	..	
Minachil	1104	1	5	2·75	892	12	0	
Muvattupuzha	1100	1	4	..	5	20	0	
Do.	do.	1	2	25	26	27	0	
Parur	1102	1	3	69	46	25	14	
Peermade	1100	1	8	4	10	19	7	
Do.	do.	1	7	18	84	24	10	
Do.	do.	1	3	48	20	3	7	

Appendix XII.—(*Concld.*)

Taluk.	Year.	No. of cases.	Extent of land sold.		Arrears of tax for which each plot was sold.			Remarks.
			Acre.	Cent.	Rs.	Ch.	C.	
Peermade .	1100	1	4	32½	50	10	10	
Do. .	do.	1	53	64	701	3	6	
Do. .	do.	1	3	78	3	4	13	
Do. .	do.	1	7	3	36	23	1	
Do. .	1101	1	2	60	1	7	4	
Do. .	do.	1	2	93	4	6	8	
Devicolam .	1101	1	13	52	233	26	9	
Do. .	do.	1	3	60	23	26	4	
Do. .	do.	1	2	10	39	8	4	
Do. .	1103	1	7	83 }	..	..	..	
Do. .	do.	..	4	56 }	17	15	3	
Do. .	do.	..	1	50 }				
Do. .	do.	..	..	42	2	16	12	
Do. .	do.	1	..	14	1	20	15	
Do. .	do.	1	6	33	2	7	4	
Do. .	do.	1	2	10	12	12	10	
Do. .	1104	1	..	37	8	25	12	
Do. .	do.	1	..	74	3	17	3	

N. B.—There have been no such cases in the remaining taluks.

ADJOURNMENT MOTION.

(Mr. T. C. Kesava Pillai handed to the Deputy President a sheet of paper).

DEPUTY PRESIDENT: Mr. Kesava Pillai has put into my hands an application for permission to move the adjournment of the business of the House to discuss a definite matter of urgent public importance namely the situation created among the people of Travancore regarding the delay in taking remedial measures so far as the recent economic depression is concerned. Do you mean to say that a situation has been created in consequence of the delay or do you mean to say that a serious situation has arisen on account of the economic depression? Which do you mean?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): In the Assembly, the Dewan has expressed that that question would be considered. But no further steps have been taken as yet.

DEPUTY PRESIDENT: What is it that you want the House to consider? Is it the question of delay?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): The situation is serious, and as such it should be considered.

DEPUTY PRESIDENT: I do not find anything inherently objectionable in that motion.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I submit, sir, that the motion is objectionable. An adjournment motion must be restricted to a specific event and to a matter of recent occurrence. The present motion does not refer to any matter of recent occurrence. Nor indeed to any specific *event* at all. The economic depression is a continuing state of affairs which cannot be made the subject of an adjournment motion and so too the delay referred to.

DEPUTY PRESIDENT: So, according to you a serious continuing distress cannot be the subject of an adjournment motion, but it must be one specific matter of recent occurrence. "Recent Occurrence"—How do you interpret the term?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): For instance the collapse of a bridge which was recently the subject matter of an adjournment motion in this House.

DEPUTY PRESIDENT: That is to say the motion should be made after the mischief is done?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No. I only say that there must be a *specific* matter not a continuing state of affairs. It must also be of *recent* occurrence. And the motion must be made at the earliest time available. The Council met in December and if there was any urgency, the motion should have been brought then.

DEPUTY PRESIDENT; You say that the state of affairs has existed for over eighteen months?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*); That is one point.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): പറഞ്ഞതു മനസ്സിലായില്ല.

DEPUTY PRESIDENT. It is not a question of recent occurrence, it is a thing as old as 18 months.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) തിരുവിതാംകൂർ പൊതുജനങ്ങളുടെയിടയിൽ സമീപകാലത്തു് ......

DEPUTY PRESIDENT: I don't want any speech. Just answer the question.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): സമീപകാലത്തുണ്ടായിട്ടുള്ള ......

DEPUTY PRESIDENT: It is not clear. Can't you put the motion in a less objectionable form? I will then see whether the House gives you permission.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): സമീപകാലത്തു നടന്നതായ അസംബ്ലികഴിഞ്ഞശേഷം തിരുവിതാംകൂറിലെ പൊതുജനങ്ങൾ ഗവണ്മെൻറിൽനിന്നും പണസഹായം ലഭിക്കുമെന്നു ആശിച്ചുകൊണ്ടിരിക്കുകയാണു്.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): ൧൦ ദിവസത്തിനുമുമ്പു് കൊപ്രായ്ക്കും മററും വിലകൂടിയിരുന്നിരുന്നതു് ഈ ആഴ്ചയിൽ വില വളരെ കുറവായിപ്പോയിഎന്നു് മെമ്പർമാക്കു് അറിയാമൊ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): വില കുറഞ്ഞിട്ടുണ്ടെന്നു് എനിക്കറിയാം. കൃഷിക്കാരുടെ ഭാഷയിലാണു് ഞാൻ പറഞ്ഞിട്ടുള്ളതു്.

DEPUTY PRESIDENT: കൃഷിക്കാരുടെ ഭാഷ എനിക്കു് അറിയാം. പറയുന്നതു് ഒന്നു വൃത്തിയായിട്ടു പറഞ്ഞാൽമതി. മോഷൻകൊണ്ടു് ആവശ്യപ്പെടുന്നതു് ഡിലെയെപ്പററി എൻക്വയറി നടത്തണമെന്നാണൊ, അതല്ല അതിനു് റെമഡിയൽ മെഷേർസ് നടത്തണമെന്നാണൊ? ഏതാണു് ഉദ്ദേശിക്കുന്നതു്?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*); അതിൽ ഏതാണൊ ഇഫക്ററീവ് ആയിരിക്കുന്നതു് അതു് വേണമെന്നാണു് എൻെറ അഭിപ്രായം.

DEPUTY PRESIDENT: താമസത്തിനെക്കുറിച്ചുള്ള സംഗതികൾ പറയുമ്പോൾ റെമഡിയൽമെഷേർസിനെ എടുത്തു പറഞ്ഞാൽ എങ്ങിനെ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : റെമഡിയൽ മെഷേർസ് വേണമെന്നാണ് ഞാൻ ഉദ്ദേശിക്കുന്നത്.

DEPUTY PRESIDENT : Unless you are going to separate the one from the other, I am going to overrule it. You can adopt any one. You can either refer to the delay in taking remedial measures so far as the present economic depression is concerned or move for taking remedial measures. Suppose you put it like this : To discuss a definite matter of urgent public importance namely, the delay in taking remedial measures so far as the economic depression is concerned. The other course is, to discuss a definite matter of urgent public importance, namely, the necessity for taking remedial measures so far as the recent economic depression is concerned. So, this is how you would move it ? "I beg to move the adjournment of the business of the House to discuss a definite matter of urgent public importance namely, the delay on the part of the Government in taking remedial measures so far as the present economic depression is concerned."

Is that how you would move it ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : Yes, Sir.

DEPUTY PRESIDENT : Does the House give him leave to move the adjournment motion ?

More than 20 members having risen in their seats, the Deputy President announced that the member had the leave of the House.

DEPUTY PRESIDENT : The motion will be taken up at 3-30 P. M tomorrow after-noon.

REGULATIONS ASSENTED TO BY HER HIGHNESS THE MAHA RANI REGENT.

MR. C. O. MADHAVAN (*Secretary to the Legislative Council*): Sir, I beg to announce that the Travancore Village Panchayat Courts Regulation Amedment Bill and the Travancore Malayala Brahmin Bill received the assent of Her Highness the Maha Rani Regent, the former on the 19th Makaram 1106, and the latter on the 8th Kumbham 1106.

STATEMENT LAID ON THE TABLE.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Sir under Rule 52 of the Legislative Council Rules, I beg to lay on the table the following statement of expenditure authorised by Government under Section 16 (9) of the Legislative Council Regulation II of 1097.

Demand No.	Amount Rs.	Particulars.
Demand IX—Administration of Justice ...	7,000	For expenditure under "Batta to prisoners" for the remaining months of the current year.
Demand XXV—Loans for Agricultural, Industrial and other purposes ...	1,50,000	Additional grant for agricultural loans.

DEMANDS FOR SUPPLEMENTARY GRANTS.

ADMINISTRATION OF JUSTICE.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I beg to move for a supplementary grant not exceeding Rs. 58 under Demand IX—Administration of justice. This amount is required for the appointment of additional staff for the Village Panchayat Court at Parur. The work of the Panchayat Court at Parur has been increasing steadily for the last three or four years and it has not been found possible to cope with the existing staff which consists of 1 clerk, 3 peons and 1 piecework copyist. This demand is intended for strengthening the staff by the addition of one clerk on Rs. 20 and one peon on Rs. 9 per mensem.

The grant was made.

AGRICULTURE AND FISHERIES.

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): Sir, I beg to move that the Government be granted a sum not exceeding Rs. 9,500 under Demand XIII—Agriculture and Fisheries. This time last year also, I moved in the House for a supplementary grant for the very same purpose, namely, to supply salt to fish curers at concessional rate. I told the House then that the Fisheries Department purchases salt from the Excise Department on payment of the full issue price, namely, from Re. 1 annas 14 to Rs. 2 annas 2 a maund. The Fisheries Department spends another four annas a maund in transporting the salt from the Salt Depots to the Fish Curing Yards and sells it to the fish curers at Re. 1 as. 4 per maund. There is thus a difference of from fourteen annas to Re. 1 as. 2 a maund which has to be met by Government. There is a provision of Rs. 7,500 in the Budget to meet

[Rao Sahib Dr. N. Kunjan Pillai.]

this deficit. But when the fishing season is favourable, when we get plenty of catches of fish, the amount provided in the Budget is not sufficient to meet the demand. Practically the whole allotment provided for this year has been spent by Kumbham and if the Fish Curing Yards are to continue till the end of the year, an additional sum of Rs. 9,500 is necessary. That is why the supplementary grant is asked for. I hope the House will allow it.

The grant was made.

MEDICAL AND SANITARY.

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Sir, I beg to move for a supplementary grant not exceeding Rs. 1,400 under Demand XVI—Sanitary Department. The amount is required for purchasing an electrical Refrigerator to be used as a cold storage for stocking lymph and also for purchasing an electric motor. The cold storage requires a temperature below the freezing-point. The present system of stocking lymph in an ice-chest is not working well. Though the ice in it is replenished every day, it is not found possible to keep the temperature below 10° c. Hence the necessity to purchase a Refrigerator, at a cost not exceeding Rs. 1,200.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know how that matter has been stored up to the present day?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): It is stored in an ice-chest. The ice is replenished every day. Still, it is found not practicable to bring the temperature below 10° c. The optimum temperature required is below the freezing point. That can be obtained only if we have an electrical Refrigerator.

MR. A. THANU PILLAI (*Trivandrum*): I wish to know whether this difficulty is felt now because of the widespread epidemic?

DEPUTY PRESIDENT: We are growing wiser every day. We are trying with ice but small-pox has broken in an epidemic form. So we are improving.

MR. A. THANU PILLAI (*Trivandrum*): Has that anything to do with the epidemic?

DEPUTY PRESIDENT: It is only for the purpose of improving the administrative machinery that this grant is asked for.

MR. A. THANU PILLAI (*Trivandrum*): How is the storing done in other places? I wish to know whether our Department is behind-hand. Just to get an idea how our Department is working, I am asking the question.

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): The electrical Refrigerator is used in other places. We are still continuing the primitive method.

MR. A. THANU PILLAI (*Trivandrum*): Why did the Government not try to discontinue the primitive methods long ago?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Let us do it now as early as possible.

DEPUTY PRESIDENT: Better late than never.

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): The Refrigerator is used in Guindy and Belgaum. For mixing the pulps with glycerine and grinding it into an emulsion, an electric motor has to be attached to the grinding machine. For that purpose an electric motor is proposed to be purchased at a cost of Rs. 200. It is for these two things that I move for a grant of Rs. 1,400.

DEPUTY PRESIDENT: I take it the House sanctions the demand?

The grant was made.

CENSUS DEPARTMENT.

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): Sir I move that Government be granted a sum not exceeding Rs. 24,000, under Demand XIX—Census. When the Budget for 1106 was framed I included a sum of Rs. 75,000 for Census. It was only an approximate amount. I could not give the exact figure because it depended upon the increase in population. Though I budgeted for Rs. 75,000, I got sanction for Rs. 60,000 only. Now I find that, in view of the increased work on account of increase in population, even my original estimate of Rs. 75,000 was below the actual requirement. I want for the current year very nearly Rs. 84,000. I may say for the information of the House that this amount, when compared with the expenditure incurred for the 1921 Census, is going to be Rs. 39,000 more than that spent in 1096. I will explain why it is so.

DEPUTY PRESIDENT: Is this for the current year alone?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): Yes, for the current year alone. For the 1921 Census, enumerators and supervisors were paid nothing. This year we are paying them at the rate of Rs. 5 to each enumerator, and Rs. 7 to each supervisor. We engaged for the preliminary enumeration this time a little over three thousand enumerators and six hundred supervisors.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): May I know whether it is on account of paying the enumerators that the population has increased?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): I leave it to Mr. Piraviperumal Pillai to draw his own inference.

Three thousand enumerators and six hundred supervisors would require about 20,000 rupees. And then, this time we appointed an Assistant Charge Superintendent for each taluk for three months, to conduct effective supervision over the preliminary work of supervisors and enumerators. This was an innovation made this year. I may say from my experience that it is a very good innovation. It has had its effect. The checking has been very efficient, and as a result of the checking, it has been possible to discover very nearly 16,000 houses

[Rao Sahib Dr. N. Kunjan Pillai.]

which were left out at the time of house-numbering. The houses were first numbered by the village staff, and preliminary enumeration was conducted by Schoolmasters and then 16,000 houses were discovered. This, I must say, was due to the efficient supervision exercised by the Assistant Charge Superintendents. They were employed for three months and their pay and allowance consumed Rs. 5,000. Over and above this we are conducting some special enquiries which were not conducted last time. There is the enquiry into the economic condition of the people. This is a laborious task which the preliminary enumerators had to do. It is more in view of the exacting work that the enumerators had to do that they are given some remuneration. We are also conducting an enquiry into the condition of the hill tribes of Travancore. This is done at the instance of the Census Commissioner for India with a view to find out whether they are progressing, and what their conditions are. We have appointed a Special Officer for nine months to conduct an enquiry into the condition of the hill tribes of Travancore. Again, at the instance of the Census Commissioner for India, we are conducting an enquiry into the disappearing industries, industries which are declining. For these special enquiries, we have to engage special officers, and remuneration and travelling allowance due to them will amount to somewhere about Rs. 4,000 so that on the whole an additional amount of Rs. 29,000 has to be spent this time which had not to be spent at the last Census. Still there is a difference of Rs. 10,000 between the present expenditure and the expenditure incurred in 1096. But in 1096 the tabulation office was started only one month later than this year. So the expenditure in the current year is for one month more than that in 1096. This comes to about Rs. 5,000. That is to say, in 1096, the whole expenditure was somewhere about Rs. 45,000, but in 1106 the corresponding figure will be about Rs. 50,000, *i. e.*, an increase of 11 per cent; while there is an increase in population of 27 per cent.

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): What is the number of enumerators for the final Census?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): We have engaged 35,000 enumerators now, while last time the number was 30 000 or less.

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): May I know whether those who are responsible for the final Census are paid?

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*): No, they are expected to do honorary work and they have done it willingly. Government do not intend to give them any remuneration. I hope the House will allow the supplementary grant asked for especially in view of a number of special enquiries which are being conducted now unlike at the last Census.

DEPUTY PRESIDENT: I take it the House sanctions the demand?

The grant was made.

PUBLIC WORKS DEPARTMENT.

MR. J. S. WESTERDALE (*Chief Engineer*): Sir, I beg to move for a supplementary grant not exceeding Rs. 1,800 for the continuance of the Minor Irrigation Committee and the temporary staff attached to it for another three months. The present sanction extends only to the end of Minam.

This House is aware that this Committee was appointed in March 1930. This was done as a result of the adjournment motion moved in this Council by Mr. N. K. Krishna Pillai, member for the Neyyattinkara taluk. It consisted of 5 officials and 5 non-officials with a non-official President thus making the number of members 11. The terms of the reference of the Committee were (1) to investigate the extent of the minor irrigation facilities available in the different parts of the State and to submit proposals for their conservation, improvement and proper maintenance, (2) to consider whether a separate agency should be appointed for the execution, maintenance and control of irrigation works and if so what that agency should be, and (3) to submit proposals to amend the existing Irrigation Regulation III of 1072 and the Rules thereunder in order to facilitate the progress of irrigation works.

The committee was allowed to visit important centres in the State and obtain and consider the views of the officers of the Revenue and P. W. Departments and such non-officials as it thought necessary to consult and submit its report to Government. The committee later on decided to visit every taluk headquarters in the State to examine witnesses and collect evidence and in view of this decision it was not possible for the committee to submit its report within the period of six months. We have so far held seven meetings in Trivandrum and 22 in other places.

Government on the recommendation of the convener of the committee sanctioned the continuance of the staff till the end of Minam 1106 and the additional expenditure was authorised under Section 16 (9) of the Legislative Council Regulation. The present additional grant is required for the continuance of the committee till the end of Mithunam 1106. We have got one more tour in which we propose to hold 13 meetings in different places.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know what the committee is doing during these tours throughout the State?

MR. J. S. WESTERDALE (*Chief Engineer*): Holding meetings from eight in the morning practically throughout the day. The committee meets twice a day on every day it is on tour and takes evidence from witnesses, chiefly cultivators and land owners.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is it for the convenience of the witnesses that the committee is touring?

MR. J. S. WESTERDALE (*Chief Engineer*): Certainly.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): And not for the inspection of any irrigation works?

MR. J. S. WESTERDALE (*Chief Engineer*): The committee has inspected one or two works. There was so much work to be done in taking evidence that they could not spare time for inspection.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Does the committee give previous notice of the time and place at which evidence is collected to important persons in the locality they visit?

MR. J. S. WESTERDALE (*Chief Engineer*): The programme of the Committee's tours is announced before hand in the Gazette. They are also communicated to the Land Revenue authorities—the Tahsildars, the P. W. D. officers, and the officers of the Co-operative Societies.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Do they write to any of the non-officials—the Assembly members or the Council members?

MR. J. S. WESTERDALE (*Chief Engineer*): I do not think so except in individual cases. We had not any complaints hitherto from such persons.

DEPUTY PRESIDENT: As a general rule they do not. But in certain individual cases they are invited.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know the names of such persons they have given notice, because I know the period during which they sit at meetings. They sat for two hours in Haripad Travellers' Bungalow and one or two hours in Pandalam. That is all that they have done for Mavelikara and Kartikapalli. I wish to know the time they took for inspection in these taluks?

MR. J. S. WESTERDALE (*Chief Engineer*): I have to collect the information and communicate it to the member. I cannot give detailed information now.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Has the committee informed the Council member about the time or place of it meeting in my constituency?

MR. J. S. WESTERDALE (*Chief Engineer*): I am not sure.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Will the member kindly enquire into the causes for not communicating to me about it if they have not done so?

MR. J. S. WESTERDALE (*Chief Engineer*): I am sorry. We had no complaint from any members for not being notified.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Probably many of the members had no information of the visit of the committee.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce* and *Industry, South*): Probably they might have got information from other members.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): From so many other ways also they might have it.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Nedumangad*): (Stood up to ask a question.)

DEPUTY PRESIDENT: Mr. Asan has not finished his question.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I wish to know the reasons for not giving notices to the Council members and the Assembly members of the locality concerned when the same information was communicated to the Tahsildars and other departmental officers?

MR. J. S. WESTERDALE (*Chief Engineer*): I presume the Council and Assembly members will read the Gazette in which the tour programme is published.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Will not Tahsildars read the Gazette? Why was the distinction made?

MR. J. S. WESTERDALE (*Chief Engineer*): Because the Tahsildars are officials whose duty it is to bring witnesses before the Committee to give evidence.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Does not the member think that it would have helped the committee as well as the non-officials concerned if they had intimated the representatives of the people in the Council also about the visits of the committee?

DEPUTY PRESIDENT: He has answered that it did not strike him at that time. Nothing has been lost because invitations had not been issued to them also.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Much could have been gained.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): What is the remaining part of the work that has to be done?

MR. J. S. WESTERDALE (*Chief Engineer*): The committee has arranged one more tour during which they expect to visit 13 different centres and after that the committee has to meet in Trivandrum for a good number of times to consider the evidence that has been collected and then to draft the report to submit it to the Government.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): Is not the committee satisfied with the tours already made?

MR. J. S. WESTERDALE (*Chief Engineer*): The decision of the committee is to take evidence from every taluk of the State.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): Will the committee visit all the taluks of the State?

MR. J. S. WESTERDALE (*Chief Engineer*): The original intention of the committee was to visit all the taluks of the State. But later on it was found that it was not necessary to visit four taluks *viz.*, Karunagapalli, Kunnattur, Devicolam and Peermade because much could not be expected of visits in the two latter taluks and meetings were held near enough to serve the needs of the two former.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): What is the scope of the work that has to be done by the committee?

DEPUTY PRESIDENT: That is in the G. O. appointing the committee.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): May I know whether the committee has visited any particular tanks, channels or other irrigation works?

MR. J. S. WESTERDALE (*Chief Engineer*): We have inspected one or two, not many.

The total number of witnesses examined so far is 407. The number of questionnaires distributed is 9,800 although the number of answers received is small.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Who is the present Chairman of the committee?

MR. J. S. WESTERDALE (*Chief Engineer*): The Chief Engineer is the Chairman.

Before sitting down I would like to mention the untimely death of Mr. S. Padmanabha Panikkar—which I have no doubt the members are all aware of—who was a sincere worker—who has attended meetings assiduously and who will be missed at our future meetings.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know what is the nature of the evidence that has hitherto been collected?

MR. J. S. WESTERDALE (*Chief Engineer*): The evidence collected has been chiefly in the nature of collecting personal opinion from landowners and cultivators as to the best means to apply the Irrigation Regulation and for its improvement.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Is it the opinion of the member that the evidence hereafter to be collected from different centres to be visited will throw additional light on the working of the committee?

MR. J. S. WESTERDALE (*Chief Engineer*): Yes, we will be able to know the need for irrigational facilities in different taluks by examining witnesses in various taluks of the State.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): May I know whether the tanks under the project area come under the purview of the report?

MR. J. S. WESTERDALE (*Chief Engineer*): They do not.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): There may be channels in the project area running through different taluks as in Tovala, Agastisvaram and Kalkulam. May I know whether such channels would be considered by the committee?

MR. J. S. WESTERDALE (*Chief Engineer*): There may be tanks indirectly affected.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): May I know whether such tanks will be considered by the committee?

MR. J. S. WESTERDALE (*Chief Engineer*): The committee is not considering cases of individual tanks.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): May I know whether the Chief Engineer was present when the committee members were present in Kalkulam and the representatives of the public made a representation about the transfer of the Division Officer, Nagercoil?

DEPUTY PRESIDENT: You need not answer that question Mr. Westerdale. It is irrelevant Mr. Kesava Pillai.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): The President and the Chief Engineer are the same.

DEPUTY PRESIDENT: That is alright.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether the meetings of the committee were held only in the headquarters of the taluks?

MR. J. S. WESTERDALE (*Chief Engineer*): No. I can give the member if necessary, a list of the places where meetings were held. They were not all in headquarters.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): In how many of such meetings was the Cheif Engineer present?

MR. J. S. WESTERDALE (*Chief Engineer*): Out of 22 meetings I was present at 10.

DEPUTY PRESIDENT: May I take it that the House sanctions the grant?

The grant was made.

LEGISLATION FINAL READING OF THE TRAVANCORE FOOD ADULTERATION BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The next item in the agenda is the final reading of the Travancore Food Adulteration Bill.........

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Sir, I rise to a point of order. The provisional list of legislative business has been communicated to the members only on the 1st April 1931. That is the date which the letters bear when they were issued out of the Huzur Office. Therefore the dates on which they were received by the members must be much later. Under Standing Order 3 (*b*) we are entitled to 14 clear days' notice for any business to be transacted before this House. From the date of the letters communicated to the members it is clear that there is no 14 clear days' notice and this matter has been mooted in this House on the 26th of April 1929 when Mr. A. G. Menon wanted permission to introduce his Kanapattom Bill. Then the matter was discussed in this House on two days, after which the matter has been allowed for the consideration of the President for 3 days. On the 3rd day the President gave a ruling which contains in part 9 of the Legislative Council Proceedings Volume XIV that the matter cannot be considered. On the basis of that provisional ruling I say, all these Bills cannot be taken into consideration on the ground of want of notice.

DEPUTY PRESIDENT: What do you say, Mr. Madhavan?

MR. C. O. MADHAVAN (*Secretary to the Legislative Council*): The provisional list was sent on the 1st April.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Under Standing Order 5 (*b*) 'clear days' is defined.

DEPUTY PRESIDENT : But the day of the meeting is not included. Mr. Asan drew my attention to the definition of clear days. It says in the computation of clear days Sundays and holidays are not excluded. But the day of the meeting and the day of the receipt of notice by the Secretary are excluded. Day of notice is 1st April. The contention is that there are 14 days.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : How?

DEPUTY PRESIDENT : Provisional list requires only 14 clear days.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : To-day is the 15th April.

DEPUTY PRESIDENT : Standing Order 3 (*b*) runs as follows :—

'The Secretary shall at least fourteen clear days before the date fixed for each meeting send to every member a provisional list of legislative business to be brought forward at such meeting. After sending such provisional list the Secretary shall send to every member a statement of the business to be transacted at such meeting so as to reach his permanent or Trivandrum address at least three days before the date of each meeting'.

The question is whether there has been 14 days.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : Suppose we exclude the 1st April?

DEPUTY PRESIDENT: Where is the provision for excluding that date?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I do not accept that contention.

DEPUTY PRESIDENT : According to you Mr. K. P. Nilakanta Pillai I understand 15th April should be excluded and then there are only 13 days and you say that according to Standing Order the list of business should not be taken to have been duly sent in the light of the ruling.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : Yes.

DEPUTY PRESIDENT : But the earlier ruling is that the date of the notice should be excluded.

MR. A. THANU PILLAI (*Trivandrum*) : If the Law Member intends to answer to this point of order I wish to know what the comparative benefit which the members receive if the letter is dated 1st April and when the letter is expected to reach a member at Parur ?

DEPUTY PRESIDENT : I will give you a chance of speaking on the question.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : The only point on which I propose to reply just now is about the interpretation of the term 'clear days'. Standing Order 2 (13) defines clear days as follows :—

'In the computation of 'clear days' Sundays and holidays are not excluded ; but the day of the meeting and the day of receipt of notice by the Secretary are excluded.'

In this case "the day of receipt of the notice by Secretary" does not obviously arise. The only day to be excluded therefore is the date of

the meeting. If that is excluded we have 14 clear days. That is all in regard to the interpretation of 'clear days.'

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What does the Law Member mean by 'date of notice'?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Day of receipt of notice by the Secretary.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*); So, it does not apply to the case where notice has to be issued by the Secretary?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It cannot.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What is the intention of the Legislature in regard to that?

DEPUTY PRESIDENT: There is no use your going into the intention of the Legislature. Strict grammatical interpretation is against you. Is there any ruling that the date of issue of notice shall also be excluded, Mr. Paramesvaran Pillai?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Not that I can think of just now.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): അമൻറുമെൻറ്സിൻെറ താഴെ നോട്ടീസ് ൧-൪-൧൧൦൩-ലാണു കിട്ടിയതു് എന്നു എഴുതിയിട്ടുണ്ടു്. അവ വാദപ്രതിവാദത്തിനു വരുമ്പോൾ ആറുദിവസത്തെ നോട്ടീസില്ല എന്നു തടസ്ഥം പറഞ്ഞേക്കാൻ ഇടയുണ്ടു്. അതുകൊണ്ടു് ഈ പായിൻറു ആഫ് ആർഡറിൻെറ ആലോചനയിൽ ആ ഭാഗംകൂടി ചേർത്തു ആലോചിച്ചാൽകൊള്ളാം.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Point of order is not relevant to the issue at hand.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): Yes. It is important to the issue at hand.

DEPUTY PRESIDENT: I believe you want me to give a decision on something distinct but connected according to you.

Mr. Asan, can you give me any specific ruling which says the date of the issue of notice by Secretary shall be excluded in computing the period of 14 days?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): The point has been raised in the proceedings I have quoted. The Law Member while addressing the non-official members on that point conceded that the Deputy President's opinion on that point is of great value.

DEPUTY PRESIDENT: He is not estopped by any opinion that he expressed as a member of the House.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does it refer to interpretation of 'clear days'?

DEPUTY PRESIDENT: The question then was whether 14 days' notice was to be given. I do not think this question about the date of issue of notice was specifically raised then.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): The discussion did not deal with the exact date. But then again it was a question of a day or two.

MR. A. THANU PILLAI (*Trivandrum*): It was also a similar case. Is it not clear from the proceedings of the House that the prerogatives of the rights of the House should be kept intact and 14 days' clear notice should be given?

DEPUTY PRESIDENT: I concede that the privileges of the House should be upheld.

MR. A. THANU PILLAI (*Trivandrum*): Is it the only question before the House whether the day of notice should be excluded or not?

DEPUTY PRESIDENT: Yes that is it. If you could help me I can give a ruling. There is no use in appealing to analogy in interpreting a statute. I rule the objection out of order.

MR. A. THANU PILLAI (*Trivandrum*): Sir, I have to say a word. It is quite clear from the proceedings to which reference was made.

The notice was issued on the 10th and the meeting was convened on the 24th.

DEPUTY PRESIDENT: Therefore you say that the date of the meeting should not be excluded, and then it would only be thirteen days. However I have given my ruling, Mr. Thanu Pillai.

MR. A. THANU PILLAI (*Trivandrum*): I said that the date of the meeting was the 24th. It was in fact the 25th.

DEPUTY PRESIDENT: I am proceeding on statements of fact given by you. You said that the notice was dated the 10th and the day of the meeting was the 24th.

MR. A. THANU PILLAI (*Trivandrum*): It was not the 24th but the 25th of April 1929.

DEPUTY PRESIDENT: Did the Council meet on the 24th?

MR. A. THANU PILLAI (*Trivandrum*): Yes.

I should like to know what is meant by the expression 'clear days.'

DEPUTY PRESIDENT: That is defined.

MR. A. THANU PILLAI (*Trivandrum*): It is true and on that I wish to say a few words. In standing order No. 2 clause 13, it is said that in the computation of clear days Sundays and holidays are not excluded but the day of the meeting is excluded.

DEPUTY PRESIDENT: Before you proceed further will you just refer me to the particular ruling that was given on the 24th of April? The notice was issued in that case on the 10th. The meeting began on the 24th. The date of the meeting should be excluded according to the rules. Therefore there were only 13 days then. Any how I have given my ruling and it is no use proceeding further. I have ruled the objection out of order.

MR. A. THANU PILLAI (*Trivandrum*): Therefore am I not allowed to speak, Sir, on that subject?

DEPUTY PRESIDENT: No, it is too late.

THE TRAVANCORE FOOD ADULTERATION BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The motion that I want to make is the motion for the final reading and passing of the Travancore Food Adulteration Bill. But before I make that motion I want to make a formal motion in regard to the short title of the Bill which is now put as the Travancore Food Adulteration Bill 110." A blank is left there for the insertion of a figure in order to indicate the year in which the Regulation is passed. I move that the figure "6" be added to the figures "110."

MR R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second the motion.

The motion was passed.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I now beg to move that the Bill be finally read and passed.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I second the motion.

The Motion was passed.

AMENDMENT TO THE CIVIL PROCEDURE CODE.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The next item in the agenda is the final reading of Rule 5 (1) of Order No. IX in the Schedule attached to the Civil Procedure Code, which was amended by the High Court and subsequently approved by the Council. I beg to move that Rule 5 (1) of Order No. IX in the Schedule attached to the Civil Procedure Code as amended be finally read and passed.

MR. C. O. MADHAVAN (*Secretary to Government*); I second the motion.

The Motion was carried.

THE REVENUE RECOVERY REGULATION AMENDMENT BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I beg to present the report of the Select Committee on the Travancore Revenue Recovery Regulation Amendment Bill, and beg to move that the Bill as reported be taken up for consideration.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second the motion.

The motion was carried.

MR. A. THANU PILLAI (*Trivandrum*) · I gave notice of a single amendment, Sir, and that has been split up into two.

DEPUTY PRESIDENT: What is the objection in having 'means and includes' as the first amendment?

MR. A. THANU PILLAI (*Trivandrum*). Not that there is anything substantial.

DEPUTY PRESIDENT: Therefore you do not press the first motion?

MR. A. THANU PILLAI (*Trivandrum*): I move the whole as one amendment as I have given notice. My amendment has been split up into two amendments, but I doubt whether it is allowable, although it does not in any way affect the spirit of my amendment in this particular case?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): He may move the second amendment first, and then the first amendment may be considered.

MR. A. THANU PILLAI (*Trivandrum*): The question is whether the amendment sent up by me can be split up into two?

DEPUTY PRESIDENT: Your right to move the second amendment is not in any way affected by your original motion having been split up into two. You may take that assurance from me. Even supposing that your second amendment is thrown out is there any harm in inserting the words 'means and' before the word 'includes'?

MR. A. THANU PILLAI (*Trivandrum*): There is no substantial difference. The implications of my amendment would not in any way be affected. But I wish to point out that when we send up amendments, they should not be tampered with in any manner by the office.

DEPUTY PRESIDENT: Without going into that question, there appears to be nothing wrong in it.

MR. A. THANU PILLAI (*Trivandrum*): There is no difficulty in this instance. But it may be that in other cases this splitting up may not bring out correctly the spirit of our amendments. That is objectionable.

DEPUTY PRESIDENT: I do not propose to hear you on that point at all.

MR. A. THANU PILLAI (*Trivandrum*): In this case I have no objection.

DEPUTY PRESIDENT: Then you may move the first amendment.

MR. A. THANU PILLAI (*Trivandrum*): I beg to move the following amendment in line 1:—

Insert the words 'means and' before the word 'includes.'

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I second the motion.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I have no objection to the amendment.

DEPUTY PRESIDENT: May I take it that the House accepts the motion?

The motion was accepted.

MR. A. THANU PILLAI (*Trivandrum*): I then beg to move the following motion to lines 2 and 3:

Substitute the words 'or of any other local authority, but not any employee of the Sreepadom Palace' for the words 'as also every person employed for, engaged in, or responsible for the collection of any public revenue or the dues of any local authority.'

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I rise to a point of order.

DEPUTY PRESIDENT: Let me first understand the amendment. The Bill as amended by the Select Committee runs thus:—"The expression 'officer' includes, for the purposes of this Section, every officer of Our Government and every officer of a Municipality as also every person employed for, engaged in, or responsible for the collection of any public revenue or the dues of any local authority."

The amendment is to substitute the words 'or of any other local authority, but not any employee of the Sree Padam Palace' in place of the words 'as also every person employed for, engaged in, or responsible for the collection of any public revenue or the dues of any local authority.' So that the explanation with the amendment will read as follows:

"The expression 'Officer' means and includes for the purposes of this Section every officer of our Government and every officer of a Munici ality or of any other local authority but not any employee of the Sree Padam Palace."

I now wish to know Mr. Thanu Pillai why you seek to amend the portion.

MR. A. THANU PILLAI (*Trivandrum*): The other is a cumbrous way of putting things.

DEPUTY PRESIDENT: Even though it is cumbrous, it is clear.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I wish to speak on the point of order, Sir. The question whether the word "officer" should include an employee of the Sreepadam Palace was debated in the last December meeting which is a part of this session. And this House has given a decision. According to Standing Order No. 22, a motion must not raise a question substantially identical with the one on which the Council has given a decision in the same session. Under this Standing Order I submit that the same question cannot be raised over again now.

DEPUTY PRESIDENT: That is one of the general rules of procedure?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes. That is one of the general rules of procedure applying to all classes of business.

DEPUTY PRESIDENT: We are now dealing with legislation. You say that this rule would apply to legislation as well, because that is one of the general rules of procedure. According to you if at one stage of the sitting of the Council a certain principle was accepted it is not open to the House at any later stage to throw the Bill out?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It is open to the House to throw the whole Bill out.

DEPUTY PRESIDENT: If it is open to the House to throw the whole Bill out, is it not open to the House to consider a part of the Bill ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The Bill is thrown out by out-voting when the mover moves the appropriate motions as provided for by the Rules and Standing Orders. Apart from that a specific motion cannot be made to raise a substantially identical question as that which was decided in the same session.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What was the question previously raised ?

(Mr. K. P. Nilakanta Pillai asked the same question.)

DEPUTY PRESIDENT: Allow him to finish before you begin to cross-examine him.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): When an amendment is brought in—and it is a motion—that shall not raise a substantially identical question as the one on which the Council has given a decision at the same session.

DEPUTY PRESIDENT: What was the decision ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I think you were present, Sir, when the question was debated. The question was whether the Sreepadam Palace.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): It was with reference to that I wanted an answer—what was the motion that raised ?

DEPUTY PRESIDENT: Let my examination be over and then I will give you an opportunity of asking him. I am just now trying to understand the objection.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I wish to submit that during the last debate when I moved that the Bill be read in Council, the question that was raised was whether an employee of the Sreepadom Palace can be treated as an officer for the purposes of this Section or not. That was also distinctly stated in the Statement of Objects and Reasons. When the House gave a decision affirming the principle of the Bill, I take it that the House has given a decision on the question whether an employee of the Sreepadom Palace should be treated as an officer for the purpose of this Section. As that decision was given during the same session, this amendment cannot be moved now. No doubt, Sir, when you put the question that 'this clause do stand part of the Bill', the House has to vote upon it and then it is quite open to them to throw the whole clause out. But that is not moving an amendment motion.

DEPUTY PRESIDENT: According to you, therefore, that is no amendment ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No, it is not.

DEPUTY PRESIDENT: It is a negation of the original principle. He ought not to be allowed to move such amendments which are not

real amendments at all. He ought to vote against the section when it is put to vote and if his objection prevails it is open to him to suggest a fresh clause on the lines drafted by him.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is another and a second ground. Throwing out the Bill may be done even when this Bill comes up in another session. The ground on which I object now is entirely different. Here Standing Order 22 is applicable. And further there is the broad principle that a principle of the Bill affirmed cannot be reopened by amendment motions. Therefore both on this ground and on the ground that this amendment is a negative motion, I submit that the amendment is not in order.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*); May I ask the Law Member what was exactly the motion that was raised last time--and whether an identical motion in the technical sense has been raised and decided in the previous meeting of the Council?

DEPUTY PRESIDENT: That is not necessary, Mr. Nilakanta Pillai. Under Standing Order 22 it is enough if a substantially identical question is decided. The Council has given a decision on a question in this Session itself, and you cannot by another motion raise a substantially identical question now. Is that not the position, Mr. Kayalam Paramesvaran Pillai?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*); Yes. One portion of it.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): With due deference to the expressions of opinion of the Law Member we, on this side of the House, beg to differ from him because no motion has been raised in the technical sense of the term. When the Bill was introduced, discussion was confined to the principles of the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Was not a question put to the House asking them whether they agreed to the principle of the Bill?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Yes. My point is that with reference to the particular Bill, both the principle and the amendment happen to be the same. Any how, because the learned Law Member has taken his stand on Standing Order No. 22, I may invite your attention to—

DEPUTY PRESIDENT: What was the principle of the Bill? What was the substantially identical question that was decided at the last meeting?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): The principle of the Bill, as I understood was, whether some authorities who are engaged in the collection of Public Revenue could be invested with the powers of Proverthikars, Tahsildars, or Peishkars as the case may be. It is not as the Law Member wants us to understand whether the Sreepadom employees could be invested with these powers.

[Mr. K. P. Nilakanta Pillai.]

Again, Sir, this Bill has been committed to a Select Committee and we are now about to consider the Bill as revised by the Committee. Under Standing Order 38, when a motion has been agreed to by the Council that a Bill be taken into consideration, any member may propose an amendment of such Bill.

DEPUTY PRESIDENT: Mark the word amendment.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): The motion before the House is nothing but an amendment moved by Mr Thanu Pillai. We are therefore at complete liberty to propose as many amendments to all the clauses of the Bill or to the Bill generally at this stage.

DEPUTY PRESIDENT; You can.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Even if you differ from the principle of the Bill it cannot prevent us from putting forward amendments provided those amendments do not go against the main principle of the Bill. Now I am at a loss to understand whether this particular amendment asking that the local authorities should not include Sreepadom Palace goes against the main principle of the Bill. I submit that it does not.

DEPUTY PRESIDENT: Even supposing this objection based on Standing Order 22 is overruled, a further question remains to be decided, namely, whether the amendment proposed by Mr. Thanu Pillai is an amendment in the strict sense of the term and whether it is not a negation of the original clause.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Unfortunately, Sir, the Law Member did not put that aspect of the question before the House.

DEPUTY PRESIDENT: That was the second contention of Mr. Paramesvaran Pillai.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Probably the Law Member did not press it as much as he did the first. If the President thinks that the present amendment cuts at the root of the Bill, it is completely within his discretion to rule it out.

DEPUTY PRESIDENT: But before I do that I would like to have a reply to that objection.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): It is to that objection that I answer, for my submission even from the very outset was that the present amendment did not go against the main principle of the Bill. As I understand it, the main principle of the Bill is not whether the employees of the Sreepadom Palace should be invested with the powers of certain officers in the matter of collecting revenue. Whether the Sreepadom is cut away from the Bill or not, that is not going to affect the main principle of the Bill, because the Bill stands in tact with reference to other portions of the Bill. In the statement of objects and reasons, it is also explained that the officers of the Municipality generally exercise the rights of the Proverthicars, Tahsildars and Peishkars. But the exercise of that right is questioned. That is the reason why this

amending Bill has been brought forward. The main principle of the Bill therefore is not to invest the Sreepadom Palace employees with the powers of certain officers.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May I draw the attention of the member to the fact that Sreepadom Palace is referred to specifically in the Statement of Objects and Reasons?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): But that is not all. If this House removes the Sreepadom Palace from the scope of this amending Bill, it does not go against the main principles of the Bill. We are mainly more concerned with the revenues of Municipalities than with those of a private body like the Sreepadam Palace which in a sense is beyond the purview of the discussion of this House. Therefore, the objection has to be very seriously considered.

MR. A. THANU PILLAI (*Trivandrum*): May I say a word by way of reply. It was said that the principle of the Bill was affirmed by the Council, when the Bill was referred to the Select Committee and that means that this amendment is out of order. That I understand is the argument of the Law Member.

DEPUTY PRESIDENT: Not in that broad sense.

MR. A. THANU PILLAI (*Trivandrum*): The question that we have to consider is what was the principle of the Bill that was affirmed by the Council and whether the amendment that is now tabled runs counter to the principle so affirmed. Now, Sir, the principle of the Bill as I understand it was—

DEPUTY PRESIDENT: To delegate statutory powers for the collection of revenue to certain bodies.

MR. A. THANU PILLAI (*Trivandrum*): It was not that, Sir, as I understood it. I shall make myself clear, although, it may not seem acceptable.

DEPUTY PRESIDENT: The substance of the Bill is to confer statutory powers on certain individuals for taking action under the Revenue Recovery Regulation.

MR. A. THANU PILLAI (*Trivandrum*): That is just what I am attempting to do.

The term 'officer' is mentioned in one of the Sections of the Regulation and that Section says 'any officer can be invested with the powers of the Peishkar, or the Tahsildar or the Proverthikar under the Regulation'. The Law Member introduced the Bill now under consideration in order to explain that term 'officer'. And, in the statement of objects and reasons, he says

> "Section 58 of the Revenue Recovery Regulation (I of 1068) empowers Government to invest any officer with the powers of a Peishkar, Tahsildar or Proverthikar under the Regulation. The term 'Officer' is not however defined and doubts have been felt whether any officer of the Sreepadom Palace or of a Municipality could be lawfully invested with the powers. To remove such doubts an 'explanation is proposed, by this Bill, to be added to Section 58."

[Mr. A. Thanu Pillai.]

Now, what is the principle of the Bill? Doubts in regard to the meaning of the expression 'officer' should be removed and it should be made clear as to what classes of officers can be invested with powers of Peishkar, Tahsildar and Proverthikar under the Regulation. That, I understand, is the principle of the Bill. Therefore when this House accepted the principle of the Bill it has accepted the need for clearing the doubts that had arisen as to the meaning of the term 'officer' in Section 58 of the Revenue Recovery Regulation; and, in thus clearing the doubts, the idea was that it should be laid down as to what class of officers should be invested with the powers of the Peishkar, the Tahsildar or the Proverthikar under the Regulation. That was the object of the Bill. That is the principle of the Bill; and not whether the employees of the Sreepadom Palace or of any other particular institution or office should be invested with those powers. The point of the Bill was whether there was any necessity to make the meaning of the expression 'officer' clear. That is the point; and that point the House has accepted. It does not mean that the Select Committee or this House has not got the power to say that a particular class of officers should not be considered as officers under Section 58 of the Revenue Recovery Regulation. If that question of including or excluding particular set of officers within the meaning of the expression 'officer' was beyond or outside the purview of the Council I should say that this House was foolish in having referred the Bill to a Select Committee. I submit I am perfectly within my right in moving the amendment which stands in my name.

DEPUTY PRESIDENT: The powers of the Select Committee are restricted; but the powers of this House are not restricted; this House can go even behind the decisions of the Select Committee.

MR. A. THANU PILLAI (*Trivandrum*): The Select Committee has also put in a dissenting minute. And, as observed by you, Sir, the powers of the House are not restricted. There is therefore no point in the objection raised by the learned Law Member.

DEPUTY PRESIDENT: Mr. Thanu Pillai, would you modify your amendment so as not to disturb the wording as fixed by the Select Committee? We will adopt the language of the Section as fixed by the Select Committee and then you may propose to add at the end *But this shall not apply to any employee of the Sreepadom Palace.* If you do that, I can split it up and put it to vote. Your sole object seems to be that the explanation in the Bill should not be extended to the employees of the Sreepadom Palace; and that you can achieve even if you agree to my suggestion. As settled by the Select Committee, this is the Explanation:

> "Explanation.—The expression 'officer' includes, for the purposes of this Section, every officer of Our Government and every officer of a Municipality as also every person employed for, engaged in, or responsible for, the collection of any public revenue or the dues of any local authority".

You just accept this and move to add after this.

'This, however shall not extend to employees of the Sreepadom Palace.'

Your tacking it on at the end does not weaken your idea. You accept my suggestion, Mr. Thanu Pillai. You see, I have at all events the power to split up your amendment, if I like. It really consists of two parts. We all agree that certain officers should be invested with the powers and that the expression 'officer' should therefore be suitably defined. That is one part. Apparently you too have no objection to that. But you want that it should be made clear that the powers should not be extended to the employees of the Sreepadom Palace. Am I correctly stating your point, Mr. Thanu Pillai?

MR. A. THANU PILLAI (*Trivandrum*): Yes.

DEPUTY PRESIDENT: Then, why not modify your amendment as I have suggested? You just move to add. *'This auth. rity shall not apply to the employees of the Sreepadom Palace'*, or something like that at the end of the clause as settled by the Select Committee. The explanation as settled by the Select Committee does not make any reference to the employees of the Sreepadom Palace. I shall let you move what you want as a separate amendment after the explanation as settled by the Select Committee is disposed of by the House. Are you agreeable, Mr. Thanu Pillai, to my suggestion? I think it would weaken the technical objection raised against your amendment as it now stands without in any way affecting your point.

MR. A. THANU PILLAI (*Trivandrum*): I fail to understand the defect in my amendment as it now stands.

DEPUTY PRESIDENT: In your amendment, as you have proposed it, you are simply re-writing the provision as settled by the Select Committee in a form more objectionable than that of the Committee, while all that you want is to exclude the employees of the Sreepadom Palace from the term 'officer' in the Explanation. You admit you have no objection to the other officers mentioned in the explanation being invested with the powers under the Revenue Recovery Regulation. Then, why not accept the clause as settled by the Select Committee and move for an addition of the provision you want, namely, that *'The explanation shall not, however, apply to officers of the Sreepadom Palace'*?

MR A. THANU PILLAI (*Trivandrum*): As I understood him, the objection of the learned Law Member—

DEPUTY PRESIDENT: Mr. Thanu Pillai, please leave the Law Member to himself for the present, and answer me. I have not so far given my ruling on the point. Before I do so I just wish to know whether you consider that my suggestion does not satisfy the object of your amendment, and, if so, whether you would accept my suggestion. I do not want you to view it as a personal appeal. You are at perfect liberty to accept or reject my suggestion. Personally, I think, without weakening your point, my suggestion would make your amendment less objectionable technically. I want to know your attitude before I give my ruling. If you think, Mr. Thanu Pillai, there is no harm in accepting my suggestion, please tell me. It seems to me that your

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objection from the start has been only to the employees of the Sreepadom Palace being invested with the powers under the Regulation. Why not bring it in as a separate clause or proviso and move that it should be added on after the explanation as settled by the Select Committee.

MR. A. THANU PILLAI (*Trivandrum*): I have no objection to that.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Before you give your ruling, Sir, I just want to bring to your notice one precedent in support of the general principle I was contending for. This is what it says.

When the Bombay Municipal Bill was before the Bombay Legislative Council on a motion for its second reading, one of the speakers...

MR. A. THANU PILLAI (*Trivandrum*): May I know what he is reading from?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am reading from a Book on Parliamentary Procedure in India by Daniel Chamier, page 29. This is what is stated:

> "When the Bombay Municipal Bill was before the Bombay Legislative Council on a motion for its 2nd reading one of the speakers mentioned the question of extending the franchise to graduates. The President pointed out that the question ought to have been raised on the motion for 1st reading, and as it had not been then considered it could not be read on motion for 2nd reading. The debate on motion for 1st reading had settled the question that the graduates were not entitled to enjoy the franchise so far as ward elections were concerned. It would be in order for the member to deal with the question of graduates forming a separate constituency like the Chamber of Commerce and so on. But the question of giving graduates the franchise forward elections had been dealt with at 1st reading and a principle had been laid down. It was pointed out that the point had been raised in Select Committee, but the President said he had nothing to do with what had taken place in Select Committee. The principles of a Bill were to be gathered from the Objects and Reasons. The question of bringing in graduates in ward elections had been explicitly referred to in the Objects and Reasons and that question had therefore been settled at 1st reading and could not be dealt with at 2nd reading. But it would be in order to speak about graduates forming a separate constituency and to propose an amendment to that effect.
>
> "Even if the Select Committee had brought in graduates under Clause 4 of the Bill the President said he would have ruled that it was out of order on the ground that the Select Committee had extended the scope and principle of the clause. For the Select Committee could only move within the ambit of the principle affirmed at 1st reading and could not extend the scope of the Bill or of a clause in it".

This ruling may be seen at page 90 of Vol. VI of the Bombay Council Debates. My position in the present instance is exactly similar to that. It has been stated clearly in the Statement of Objects and Reasons that one of the objects of the Bill is that the employees of the Sreepadom Palace should be classed as 'officers' for the purpose of Section 58, and that has been affirmed by this House when the principle of the Bill was affirmed and the Bill was referred to the Select Committee.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): What is the principle of this Bill, Sir, may I know?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I was submitting that the Statement of Objects and Reasons of this Bill clearly stated......

DEPUTY PRESIDENT: Mr. Paramesvaran Pillai, you can, if you are so inclined, answer Mr. Asan, or, ignore his question altogether if you think it interferes with the current of your thought.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am answering him, Sir.

The Statement of Objects and Reasons, to the Bill now under consideration, clearly says that the employees of the Sreepadom Palace should be classed in the category of 'officers' for the exercise of the powers under the Regulation. That is, therefore, *one of* the principles affirmed by this House when it referred the Bill to a Select Committee, in the same way as the question of the graduates getting franchise for the Municipal Councils was one of the points raised and rejected by the Bombay Legislative Council in the first reading of the Bombay Municipal Bill. There, at the second reading, that point was not allowed to be re-opened. In the same way, it is now my contention, Sir, on a broad principle that at the second reading of this Bill, a point which formed specifically *one* of the principles affirmed by this House in the first reading should not be reopened in the second reading.

MR. A. THANU PILLAI (*Trivandrum*): May I know what the principle of the Bombay Municipal Bill, now referred to by the Law Member, was?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): The principle was, or, it included the question of giving franchise for graduates.

DEPUTY PRESIDENT: Was the ruling in Bombay based on any Standing Order like the one that we have here? I am merely asking it for my information.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is not clear in the book that I am reading from. If necessary I shall find it out. But the broad principle is there and that is more important.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Permade*): ഇൻട്രൊഡക്ഷനിൽ പലപ്രിൻസിപ്പിളും ഉണ്ടെങ്കിലും ഒരു പ്രിൻസിപ്പിളിനുവേണ്ടി മാത്രം ബിൽ ആദ്യമേ തള്ളാൻ സാധിക്കുമോ? ഓരോ ക്ലാസായിട്ടു എടുത്തു വോട്ടുചെയ്യാൻ സെക്കൻറു റീഡിങ്ങിലല്ലാതെ സാധിക്കുമോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): സെക്കൻറു റീഡിങ്ങിൽ അമൻറുമെൻറു കൊണ്ടുവന്നു പ്രിൻസിപ്പിൾ മാററാൻ സാധിക്കുകയില്ല.

DEPUTY PRESIDENT: Mr. Raja Raja Varma Koiltampuran, if the House is against any point or principle contained in the Statement of

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Objects and Reasons it should direct the Select Committee, when the Bill is referred, not to go into that point. The Select Committee cannot go into questions which the House has excluded from the purview of the Committee.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): The only principle that was affirmed by the House when this Bill was referred to the Select Committee was that there was need to lay down clearly and definitely the meaning of the expression 'officer' for the purpose of exercising the powers of the Peishkar, the Tahsildar and the Proverthikar under the Revenue Recovery Regulation.

DEPUTY PRESIDENT: That is how *you* view it; but Mr. Paramesvaran Pillai contends that the question of investing the employees of the Sreepadom Palace with the powers under the Revenue Recovery Regulation was one of the most important points of this Bill, and that, if the House was so keen on this matter, it might have thrown out the whole Bill and need not have referred it to a Select Committee.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): This particular point about the employees of the Sreepadom Palace was left open; and the committee was asked to consider the Bill the object of which was to define the expression 'officer' in Section 58 of the Revenue Recovery Regulation.

DEPUTY PRESIDENT: The Select Committee seems to have simply dealt with the *wording* of the Sections. They have not done anything with the principle of the Bill.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Standing Order No. 31, parts (1), (2) and (3) say:

'(1) At any time after a Bill has been published in the Gazette, the member in charge of the Bill may introduce it.

(2) When introducing a Bill the member in charge of it shall move that the Bill be read in Council.

(3) If the motion be seconded, the principle of the Bill and its *General* provisions may then be *discussed* and, if the motion be carried, the Secretary shall read the title of the Bill',

All that is stated is that the *general* provisions and the *principles* may be discussed, and that, if the motion for introduction is carried, the Secretary shall read the title of the Bill. Only a discussion of the principle and of the *general* provisions of it is intended.

DEPUTY PRESIDENT: It is not merely an academical discussion of the principle and the provisions of the Bill that is contemplated, but a discussion and affirmation of the principle of the Bill. The affirmation is the more important part of it.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): The principle of the Bill was discussed and affirmed by the House and that was that the meaning of the term 'officer' should not be left in doubt but should be clearly defined. The specific question about the employees

of the Sreepadom Palace was only an illustration, one of the several instances in which doubts had arisen as to the applicability of the expression 'officer'. The House *has* affirmed that it was absolutely necessary to *define* the term 'officer' clearly. My submission is, Sir, that such of us as wanted clearly to exclude the employees of the Sreepadom Palace from the term 'officer' were even more particular in affirming the principle of the Bill and in clearly defining the expression 'officer' so as not to include the employees of the Sreepadom Palace, than those who wanted these employees to be covered by the expression 'officer'. That there was doubt as to the meaning of the term 'officer' was admitted on all hands ; and if that doubt was allowed to continue it would have been bad also in the interests of those who are very particular of excluding these employees of the Sreepadom Palace from the term 'officer'. We were therefore very particular of affirming the principle of the Bill. Certainly, it cannot therefore now be argued that, because we affirmed the principle of the Bill and wanted to clear doubts as to the meaning of the term 'officer', we had affirmed or given our assent also to one of the many specific *individual instances* given in the statement of objects and Reasons attached to the Bill. As a matter of fact, it was because we had the doubt that the term 'officer' may, on account of the absence of a clear definition, be interpreted to include the employees of the Sreepadom Palace also that most of us affirmed the principle of the Bill. If it had then been made clear that the only object of the Bill was to invest the Sreepadom employees with the powers of the Peishkar, Tahsildar and the Provertikar under the Revenue Recovery Regulation, we would all have stoutly opposed the Bill and thrown it out.

DEPUTY PRESIDENT : The majority of the House may now say that they supported the principle of the Bill and referred it to a Select Committee with the object of unambiguously and undoubtedly excluding the employees of the Sreepadom Palace from the meaning or definition of the term 'officer' in Section 58 of the Revenue Recovery Regulation. And, Mr. Paramesvaran Pillai, on the other hand, may say that the chief object of the Bill was to invest the employees of the Sreepadom Palace with those powers under the Revenue Recovery Regulation, and that that had been made clear to the House by the statement of Objects and Reasons, and also otherwise. There is not much good in our wasting our time and energy in that direction now.

The only question now is whether, even supposing that a decision had been reached by the House on a particular point on a previous occasion, the House is permanently estopped from reviewing it. Certainly, it is not open to Select Committees to go behind the principle or principles affirmed by this House. But, to this House, it is open to go behind the principle affirmed and even to throw out the whole Bill.

Mr. Paramesvaran Pillai, your objection to the amendment of Mr Thanu Pillai as it stands is twofold. One is that Standing OrderNo. 22 lays down that a matter that had been dealt with substantially at an earlier sitting of a particular session cannot be reopened at a later sitting of the very same session. No doubt, that forms part of the general rules

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of procedure laid down by the Standing Orders. But, I think, with reference to legislation generally, it *is* open to the House, *at any stage*, to go against any earlier decision reached by the Council. Mr. Paramesvaran Pillai argues that that could be possible only when the House meets in a different *session* and not in another *sitting of the same session.* He has drawn my attention to a ruling of the Bombay Legislative Council wherein the President seems to have held that, the question of graduates' franchise having been dealt with at some length at the time of the introduction of the Bill, it was not open to the House at the time of the second reading of the Municipal Regulation to go against the earlier decision of the House. The question is not free from difficulty. I am not, however, prepared, in the absence of detailed information with reference to the circumstances which led to that ruling of the Bombay Legislature, to adopt it in the present instance.

The one other argument which Mr. Paramesvaran Pillai advanced against the amendment was that, in substance, it was no amendment but a negation of the clause and of the principle of the Bill as affirmed by this Council. I am prepared to concede that there is some force in that argument.

If Mr. Thanu Pillai will agree to adopt the language of the Explanation as fixed by the Select Committee and then move to add a rider that '*This, however, shall not apply to the officers of the Sripadom Palace*' then, it cannot be said to be a negation of the clause as fixed by the Select Committee. At this stage, I do not feel tempted to go into the several arguments advanced for and against the inclusion of the employees of the Sreepadom Estate in the category of officers mentioned in the explanation now in question. The Explanation, as finally settled by the Select Committee, does not make any reference to the employees of the Sreepadom Estate at all. It simply proposes to empower persons who have been engaged in the collection of public revenue till now to be brought under the category of officers mentioned in Section 58 of the Revenue Recovery Regulation. Under the provisions of that Regulation, Sreepadom revenue has been declared as 'public revenue'. I think, as a matter of policy and expediency, it would be desirable that the House should empower the authorities employed by the Sreepadom Palace for the collection of their revenue (which, as I have already pointed out, has been declared to be public revenue), to exercise the powers of Government Revenue officers under the Revenue Recovery Regulation, at least in cases where the Government are satisfied that such vesting of power would not be detrimental to the interests of the public. I am not, at this stage, for dealing with the merits of that question of policy.

If, therefore, Mr. Thanu Pillai would agree to his proposed change, in the explanation as settled by the Select Committee, being brought in

as an addition at the end of the explanation, I am prepared to allow him to move it as an amendment. Will you give me your answer, Mr. Thanu Pillai, when we meet after lunch?

MR. A. THANU PILLAI (*Trivandrum*): I have... x ......

DEPUTY PRESIDENT: You may think over my suggestion and take the sense of your colleagues if you think it necessary. I am not throwing any obstacle or difficulty in your way. I want to give you an opportunity to take the sense of the House on the merits of this question. I am not particular that you must give me your answer offhand. If honestly you think that my suggestion would seriously prejudice your amendment, then you need not argue the question further. I shall have to rule your amendment out on account of the technical objections already explained. If, on the other hand, you think there is nothing dangerous in my suggestion, we shall discuss the question, in detail, free from any technical objection, on its merits.

MR. A. THANU PILLAI (*Trivandrum*): I do not find any objection in accepting your suggestion.

DEPUTY PRESIDENT: Then instead of your present amendment, you simply say;

> 'Add at the end of the Explanation:—
>
> 'But the expression "*officer*" shall not include the employees of the Sreepadom Palacé.'

MR. A. THANU PILLAI (*Trivandrum*): I have no objection to move it like that.

DEPUTY PRESIDENT: I shall permit you to move it formally when we meet after lunch. It can no longer be considered a negation of the original clause. The technical objection ceases to exist.

The Council adjourned for lunch at 2 P. M. and met again at 2-15 P. M.

DEPUTY PRESIDENT: Mr. Paramesvaran Pillai, you may move the amended Bill formally.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I have already moved the second reading.

DEPUTY PRESIDENT: I suppose the House has no objection to accept this portion of the explanation as settled by the Select Committee with the amendment already accepted. The explanation reads:—'The expresison "officer" means and includes, for the purposes of this Section every officer of Our Government and every officer of a Municipality as also every person employed for, engaged in, or responsible for the collection of any public revenue or the dues of any local authority.' May I take that the House agrees to this?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): My submission is, that the amendment has to be considered.

DEPUTY PRESIDENT: It is not an amendment; but it is an addition. I allow Mr. Thanu Pillai to move it as an addition.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*); Then the whole Bill has to be voted upon.

DEPUTY PRESIDENT: I am just asking whether, you have any objection to accept this. I have permitted Mr. Thanu Pillai to move it as an addition.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Sir, I have a word to say.

DEPUTY PRESIDENT: That is to say, you want me to consider Mr. Thanu Pillai's addition first, before the explanation is put to vote?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I wish to know whether, when this House wants to accept this clause and if Mr. Thanu Pillai's amendment is lost, we are entitled to vote upon this clause again?

DEPUTY PRESIDENT: That is to say, I understand you to suggest that you wish to make certain alterations in this, in case his amendment is not accepted. If you have any such idea, I shall not put it to vote now.

MR. A. THANU PILLAI (*Trivandrum*): Sir, I beg to move that the following be added at the end of the explanation as settled by the Select Committee:

'But not any employee of the Sreepadom Palace.'

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I oppose the amendment. I have already said on a previous occasion, rather, on more than one occasion, that there could be no objection whatever, in conferring powers on the employees of the Sreepadom Palace. Nothing has yet been urged to-day, against that view, by the mover of the amendment, and I also have nothing to say now. I would only remind the House, of what I had already said on previous occasions.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Sir, I support the amendment moved by Mr. Thanu Pillai.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Will the member please read the clause as amended?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): The clause reads thus:

> "The expression 'officer' means and includes for the purposes of this Section, every officer of our Government and every officer of a Municipality or of any other local authority but not any employee of the Sreepadom Palace.

While considering the object of this amendment, many members on this side of the House should not lose sight of the importance of this proposed amendment. It is with that view I support this amendment. Of course, we had a good deal of discussion about that, when the Bill was introduced for the first time. The dangerous character of the Bill if passed without this amendment, has to be borne in mind. Without this amendment we will be enacting a piece of legislation which will invest subordinate officers of the Sreepadom Palace, whether they are ill

or well qualified, with certain powers which will enable them to attach both movable and immovable properties for arrears of revenue due to the Sreepadom Palace which is not recognised as a local authority but only as a private body. Even under the existing arrangement, when there is the Dewan Peishkar, Tahsildar and other officers above them, we can more or less realise the hardship which the poor cultivators are put to, when attachments are effected by ordinary Proverthikar in regard to movables and immovables for arrears of revenue. This is more dangerous, because, with reference to Proverthikars and Tahsildars, for their acts of unfairness or any other illegal acts, we can prefer appeals and revisions to the authorities concerned. But in the case of Sreepadom Palace Officers we are helpless.

DEPUTY PRESIDENT: How is that?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): I will explain. It is with reference to the constitutional aspect of the question I want to speak when supporting this amendment. By passing this clause without the proposed amendment, we will be creating a class of officers who can neither be controlled nor criticised by the Legislative Council. This is the most important aspect of the problem which we members on this side of the House are confronted with. The main object of this council is to enact measures which must be allowed to be freely critcised both by the general public and by the press. And the Executive authority, or authorities who are enabled to carry on legislation, should not be beyond the control and the criticism of this House. By allowing this clause to be passed without the proposed amendment, we will be surrendering our right of criticism or control. At the same time, we are creating a set of employees and we are investing them with certain powers which are beyond the control of this Legislative Council. This is the constitutional aspect of the question I want to refer.

DEPUTY PRESIDENT: Mr. Nilakanta Pillai, by the passing of this legislation we are not investing the employees of the Sreepadom Palace with these powers. We are only empowering Government to delegate these powers. So the liability of the Government to be brought under criticism by this House remains.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Of course, the Executive authority is invested with certain powers. I have not lost sight of that fact. We can understand that. But we must understand that the Sripadom Palace is an institution, a corporation, which is beyond the criticism of this House. Therefore, even the executive authority may either by oversight or by deliberate action invest disquailfied people with the powers of a Tahsildar or a Proverthicar and they may misuse these powers, or conduct in a very bad way. At that time, this House cannot relevantly and cogently criticise the actions, of the Sreepadom Palace employees, for the simple reason, they are being controlled by a body which is beyond the purview of this House.

[Mr. K. P. Nilakanta Pillai.]

Again we must understand that under the existing arrangement no difficulty at all is felt for the collection of revenues due to the Sreepadom Palace. I am quite sure, that the members are aware, that even Magistrates and Tahsildars who are taken away from the Government Service to the Service of the Sreepadom Palace, are not invested with the authority of Tahsildar or Peishkar even though they are qualified men, not because the authorities doubted their power to invest them with that power; but as a matter of convention, that is not resorted to. Even the existing Manager of the Sreepadom Palace is not invested with the powers of the Proverthikar to attach the properties for the realisation of the dues. After all, there is not much difficulty to be felt by the Sreepadom Palace employees in the matter of realising their dues. A major portion of the revenues is in the five pakuties of the Chirayinkil taluk. There are some properties in South Travancore also. In every taluk there is a Tahsildar for realising Government revenue. If any dues remain to be collected by the Palace employees the matter could be rported to the Tahsildar and with the intervention of this gentleman properties could be attached or sold, or some other speedier measures could be resorted to for the realisation of the dues. So from the practical side of the question also there is no difficulty at all to be felt.

Then I ask the question what is the necessity for bringing in such a legislation. Of course, when the principle of the Bill was discussed, when the Bill was introduced, as the Law Member explained, we never thought that the most important principle of the Bill is the one under discussion. If the main principle of the Bill is, as the Law Member explained just now, to invest the Sreepadom employees with the powers of Dewan Peishkars, Tahsildars and Proverthikars, as the case may be, I submit, on that we have to differ from the Law Member and Mr. Thanu Pillai's amendment at any cost has to be tacked on to the main clause. Another point I have to suggest is this. From the point of view of the cultivators, if the Sreepadom employees are invested with such powers, it will create unnecessary difficulties because the Palace employees are beyond the criticism of the Legislative Council and they are not subject to the disciplinary control of the Executive Government. We have to realise the importance of the position, the difficulties which the poor cultivators have to undergo. All these aspects have to be considered and I request the members on this side of the House to seriously think of this. Now it may be all right, because a necessity has been felt by somebody that the Sreepadom employees should be invested with the powers of a Tahsildar or Dewan Peishkar. Therefore we are allowed to discuss it here. But, hereafter, we may not be allowed to discuss Sreepadom matters at all. Therefore we ought to be very careful and doubly cautious regarding the clause under discussion. With these few words, I support the addition moved by Mr. Thanu Pillai.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) : Sir, speaking on the amendment proposed by Mr. Thanu Pillai, I asked my friend Mr. K. P. Nilakanta Pillai to read the clause with the amendment. But he did not do it. Now, what I understood was, that the amendment and explanation as passed by the Select Committee, is to stand, *i.e.*, 'but not any employee of the Sripadom Palace" to be added at the end. The explanation as amended will read thus.

'The expression "officer" means and includes for the purposes of this Section, every officer of Our Government and every officer of a Municipality, as also every person employed for, engaged in, or responsible for the collection of any public revenue, but not any employee of the Sreepadom Palace.'

The clause as it is amended is contradictory.

DEPUTY PRESIDENT : Please read the clause as a whole and not bit by bit.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) : In one portion of the clause it is said that persons employed in the collection of public revenue are included in the term 'officer', and what is the fun of saying 'but not a Sreepadom officer.' We have conceded that Sreepadom revenue as public revenue.

DEPUTY PRESIDENT : But Mr. Thanu Pillai will exclude them from the array of officers who are engaged in the work of collection.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) : But it includes persons who are engaged in collecting public revenue.

DEPUTY PRESIDENT : That is a generic term.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) : Is it to be understood that the persons employed for, or engaged in, the collection of public revenue should—

DEPUTY PRESIDENT : Subject to this reservation, that Sreepadom officers will not come in this category.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) : Then it is alright.

MR. R, RAMAN PILLAI (*Kottayam*): സർ, മി: താണുപിള്ളയുടെ ഭേദഗതിയോടു ഞാൻ അനുകൂലിക്കുന്നു. ശ്രീപാദം എന്നുള്ളതു കൊട്ടാരത്തിന്റെ ഒരംശമാണ് എന്നുള്ളതിനെപ്പററി തർക്കം ഉണ്ടായിരിക്കും എന്നു തോന്നുന്നില്ല. കൊട്ടാരത്തെ സംബന്ധിച്ചു യാതൊരു നിയമവും ഉണ്ടാക്കുന്നതിന് ഈ നിയമസഭക്ക് നിയമസഭാറെഗുലേഷൻ അനുസരിച്ച് അധികാരമില്ല. അങ്ങനെയിരിക്കെ ശ്രീപാദംവക വസ്തുക്കളെ സംബന്ധിച്ചു നിയമം ഉണ്ടാക്കുന്നതിന് ഈ നിയമസഭയ്ക്കു അധികാരം ഉണ്ടോ? അങ്ങനെ ഇല്ലാതിരിക്കെ ഒരു നിയമം ഉണ്ടാക്കുന്നതു ശരിയാണോ?

DEPUTY PRESIDENT: റവന്യൂറക്കവറിറഗുലേഷനെസംബന്ധിച്ച് ഒരു ഭേദഗതി വരുത്താൻ ഈ കൌൺസിലിന് അധികാരമുണ്ടെന്നു കഴിഞ്ഞ കൌൺസിൽ മീററിംഗിൽ തീർച്ചപ്പെടുത്തിയിട്ടുണ്ട്.

MR. R. RAMAN PILLAI (*Kottayam*): പടിപടിയായി മേലധികാരം ഉള്ള ഇന്നത്തെ റവന്യൂഡിപ്പാർട്ടുമെൻറിൽ പല കുഴപ്പങ്ങളും ഉണ്ടാകുന്നുണ്ടു്. ഒരു പാർവ്വത്യകാരുടെ പ്രവൃത്തിയിൽ ഏതെങ്കിലും തെററുണ്ടെങ്കിൽ പാർവ്വത്യകാരുടെ മേലധികാരിയായ തഹശീൽദാരുടെ അടുത്തും, തഹശീൽദാർ തെററുചെയ്യുന്നുഎങ്കിൽ തഹശീൽദാരുടെ മേലധികാരിയായ പേഷ്കാരുടെ അടുത്തും, പേഷ്കാർ ഏതെങ്കിലും ന്യായക്കേടു പ്രവൃത്തിക്കുന്നു എങ്കിൽ ലാൻറുറവന്യൂകമ്മീഷണരുടെ അടുത്തും പോയി വേണ്ട പരിഹാരം ഉണ്ടാക്കുന്നതിനുള്ള അവകാശം ജനങ്ങൾക്കുണ്ടായിരുന്നിട്ടും പലപ്പോഴും പാർവത്യകാരന്മാർ തഹശീൽദാരുടെ അനുവാദംകൂടാതെ അക്രമമായി വസ്തുക്കളെ ജപ്തിചെയ്യുയും തഹശീൽദാരന്മാരുടെ സഹായംകൊണ്ട് അതിൽനിന്നും രക്ഷപ്പെടുകയും ചെയ്യുന്നുണ്ട്. ഈ ശ്രീപാദം ഉദ്യോഗസ്ഥന്മാരുടെ പ്രവൃത്തിയിന്മേൽ യാതൊരു അപ്പീലും ഇല്ല. കോടതിമാത്രമെ ഉള്ളു. ഇങ്ങനെയിരിക്കുന്ന സ്ഥിതിയ്ക്കു്—

DEPUTY PRESIDENT: മി. രാമൻപിള്ള പറഞ്ഞതിൽനിന്നും ഞാൻ മനസ്സിലാക്കുന്നതു് ശ്രീപാദം ഉദ്യോഗസ്ഥന്മാൎക്ക് ഈ അധികാരം കൊടുത്താൽ തഹശീൽദാർ, പേഷ്കാർ, റവന്യൂകമ്മീഷണർ ഇവരുടെ ശാസനകളെ അനുസരിച്ച് അവർ പ്രവൃത്തിക്കണമെന്നാണ്. അങ്ങനെതന്നെ നടക്കും.

MR. R. RAMAN PILLAI (*Kottayam*): ഇതുവരെ യാതൊരു നിയമം കൊണ്ടും ശാസനകളിൽ ഉൾപ്പെട്ടു നടക്കുന്നില്ല.

DEPUTY PRESIDENT: ഈ നിയമംകൊണ്ട് അങ്ങനെ വരുത്താൻ ഉദ്ദേശിക്കുന്നുണ്ട്.

MR. R. RAMAN PILLAI (*Kottayam*): അങ്ങനെ വരുമോഎന്ന് എനിക്കു സംശയമാണ്. ഇങ്ങനെ മേലധികാരികൾക്ക് ഇവരെ ഭരിക്കുന്നതിന് അധികാരംഇല്ലാത്തകാലത്തോളം—മേലധികാരികൾക്ക് അതിലേക്കു ചുമതല ഇല്ലാത്ത കാലത്തോളം—ശ്രീപാദം ഉദ്യോഗസ്ഥന്മാൎക്ക് ഈ അധികാരം കൊടുക്കുന്നതു നല്ലതല്ല. അതുകൊണ്ടു മി. താണുപിള്ളയുടെ ഭേദഗതിയെ ഞാൻ അനുകൂലിക്കുന്നു.

MR. A. G. MENON (*Parur*): I beg to support Mr. Thanu Pillai's amendment on different grounds. In my view, this Legislature should

not have come in to help any person, whether an individual or a body corporate who, in collecting their dues, does not conform to the rules by which revenues are levied and collected by Government. In fact, I understand, in the matter of Sreepadom properties they levy not according to rates adopted by Government.

DEPUTY PRESIDENT: Is it not settlement rates?

MR. A. G. MENON (*Parur*): They collect revenues in kind and that works at higher rates than the standard rates.

DEPUTY PRESIDENT: Is it different from the one fixed in the settlement rates?

MR. A. G. MENON (*Parur*): Suppose, according to Government rate, only 6 paras of paddy is to be collected, more is levied and collected. That is the thing. So long as they differ—I do not particularly refer to Sripadom, Edapally or the Punjar Chief—we should not interfere with a body corporate who does not act according to the rates fixed by the Government. I believe, Government have laid down certain rules to be followed in the matter of the collection of dues. That is my view also. So, the amendment of Mr. Thanu Pillai is quite proper.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): I also support the amendment moved by Mr. Thanu Pillai. This Council is a public body. Now, it is called upon to legislate for a private body. I do not think that the Sripadom Palace forms part of the Palace of Travancore which is a limb of the Travancore Government. If it were so, then there would have been some meaning in calling upon us to legislate a measure which would be to their benefit. Now, the revenue collected by the Sripadom Palace is solely utilised by that private body for its own sake. Not a single cash of the revenue they collect is spent for the people of those pakuties from which the revenue is got. On the other hand, if it were public revenue, they would have been utilised for securing the life and property of the people who reside in that pakuti.

DEPUTY PRESIDENT: In the proposed Jenmi and Kudiyan Bill, you authorise Government to start proceedings under the Revenue Recovery Regulation to get the jenmies' michavaram collected. Is that right according to the position now taken by you?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): That is a matter affecting the Jenmies and Kudiyans.

DEPUTY PRESIDENT: There also, the money collected is not spent for puclic purposes.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): But the Kudiyans have occupancy and other rights.

DEPUTY PRESIDENT: That is to say, permanent right of occupancy.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): But, is any Kariasthan of the Jenmi authorised to collect dues?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): No, that is only fair.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ജന്മികുടിയാൻ റെഗുലേഷൻ ഈ കൌൺസിലിൽ പാസായിട്ടുണ്ടോ ?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): The occupancy right of the Sripadom Palace is left to their discretion. They can effect it at any moment. If we carry on such legislation to-day, tomorrow we may be called upon to legislate for the Edappalli and Punjar Chiefs. When we legislate like that, we do not know the steps on which we may have to proceed further. This legislation is not at all conjoining with the functions of the Legislative Council. Then the other argument which I have to say is that Sripadom is not a sovereign body. Only sovereign bodies and similar institutions can be called upon to enact measures for the purpose of carrying on administration. When it is not a sovereign body, it should not have been called upon to enact a measure which is purely beneficial to a private body, or rather, who occupies a position similar to that of a private individual.

Then, we have to consider another aspect also. We are vesting these officers with certain powers. If they misuse those powers, then there is no higher body to question them.

DEPUTY PRESIDENT: How do you say that?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): There are the Tahsildars and higher authorities in other departments. If they commit mistakes, they can be called upon to set right matters. But in the case of Sreepadom employees, the matter is different.

DEPUTY PRESIDENT: Here also the same procedure may be adopted just as other Tahsildars are asked to explain.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): So far as departmental Tahsildars are concerned, there is a higher authority to question them. In the case of Sreepadom employees there is no court of law, to redress grievances of the aggrieved persons.

DEPUTY PRESIDENT: There is.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): Kudiyans are supposed to be in a worse footing.

DEPUTY PRESIDENT: The Sreepadom Palace employees also are to be guided by rules.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): But if anything illegal is committed we have no control over them.

DEPUTY PRESIDENT: They are amenable to the law as it is.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*); But there is no opportunity to proceed against them and the higher officers.

DEPUTY PRESIDENT; What do you mean by the term 'higher officers'?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): Higher officers, meaning Dewan Peishkars and Land Revenue Commissioner,

DEPUTY PRESIDENT: I do not want to interrupt your speech. But I wish to say that the position was not correctly grasped. Except in the matter of empowering some officers with certain powers it is not proposed by the Bill to call into existence a new body of officers above all control and above all laws. Our Peishkars, our Land Revenue Commissioner and our Government will have the very same powers under the laws that they now have.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): The Land Revenue Commissioner is impotent in the matter because the Sreepadom Palace is not under his control.

DEPUTY PRESIDENT: The Sreepadom Palace cannot invest anybody with any power. It must be done by the Government.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Under the law no appeal or revision lies to the Land Revenue Commissioner or the Government. They are helpless.

DEPUTY PRESIDENT: These Tahsildars or Proverthicars specially empowered by Government are subject to the appellate and revisional jurisdiction of the Dewan Peishkars and the Land Revenue Commissioner as in all other cases. Perhaps they cannot suspend or dismiss them. But so far as the appellate and revisional jurisdiction are concerned, the Dewan Peishkars and the Land Revenue Commissioner are in the very same position. Of course you may oppose the extension of the powers on other grounds. All I say is that there is no use of ignoring the provisions of the Revenue Recovery Regulation.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): That aspect has to be cleared. If some immovable property is auctioned by the Peishkar or the Sreepadom Manager, I ask the question whether under the existing law the Land Revenue Commissioner can sit in judgment over it?

DEPUTY PRESIDENT: The Sreepadom Manager cannot direct the sale of any property.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): When the Manager of the Sreepadom Palace is invested with the power by Government he can do it without asking the Dewan Peishkar.

DEPUTY PRESIDENT: Quite so.

MR. P. S. MAHOMED (*Nominated*): സർ, മി. താണുപിള്ളയുടെ അമൻറുമെൻറിൽനിന്നും ഒരു സംഗതിയാണ് മനസ്സിലാക്കാൻ സാധിക്കുന്നത്. അതായത് പബ്ളിക്ക റവന്യു പിരിക്കുന്ന എല്ലാആളുകൾക്കും ഈ അധികാരം നൽകാമെന്നാണ്. എന്നാൽ ശ്രീപാദം ഉദ്യോഗസ്ഥന്മാർക്ക് ശ്രീപാദംവകയായ പബ്ളിക്കറവന്യു പിരിക്കുന്ന സംഗതിയിൽ ഈ അധികാരം കൊടുക്കാൻ പാടില്ലെന്നും പറയുന്നുണ്ട്. അതിലേക്കു അദ്ദേഹംപറയുന്ന സമാധാനം ശ്രീപാദം ഉദ്യോഗസ്ഥന്മാർ ഈ അധികാരം വഹിക്കുന്നതിനു തക്ക യോഗ്യതയുള്ളവരല്ലായിരിക്കാമെന്നാണ്. ഈ അധികാരം നൽകുന്നത് ഗവണ്മെൻറാണ് എന്നുള്ളതിൽ യാതൊ

[Mr. P. S. Mahomed.]

ന്നസംശയവുമില്ല. ആ സ്ഥിതിക്കു യോഗ്യന്മാരെനോക്കി അധികാരം ന ൽകാനുള്ള ചുമതല ഗവർണ്മെൻറിന് ഉണ്ടായിരിക്കുന്നതാണ്. ഗവണ്മെ ൻറ് അങ്ങനെ ചെയ്യാതേയിരുന്നാൽ ഗവണ്മെൻറിനോട് അതിനെ പ്പററി ചോദിക്കാനുള്ള അധികാരം ഈ സഭയ്ക്കുണ്ട്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അധികാരം കൊടുക്കുന്നതു് ഒരു പ്രത്യേകവ്യക്തിയ്ക്കോ അതല്ല ഒരു സ്ഥാ നത്തിനൊ അതായതു ശ്രീപാദത്തു ഇതു സ്ഥാനമുണ്ടെന്നു നിർണ്ണയിച്ചു ആ സ്ഥാനത്തിനു കൊടുക്കണൊ അതല്ല ഇന്ന സ്ഥലത്തെ അധികാരി എന്നുനോക്കി ആ ആളിനു കൊടുക്കണൊ ഏതാണു വേണ്ടതു്?

MR. P. S. MAHOMED (*Nominated*) : രണ്ടു പ്രകാരത്തിലും ചെയ്യാൻ ഗവണ്മെൻറിനു അധികാരമുണ്ട്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ഒരു നാമത്തിനു ഈ അധികാരം കൊടുത്താൽ ആ നാമത്തിനു ഇന്നയി ന്ന യോഗ്യതകൾ ഉണ്ടായിരിക്കണമെന്നും നിർബന്ധം വേണ്ടേ?

MR. P. S. MAHOMED (*Nominated*) : ഒരു നാമത്തിനായിട്ടു ഗവ ണ്മെൻറിൽ നിന്നു അധികാരം കൊടുക്കുകയില്ല. ശ്രീപാദം സംബ ന്ധിച്ചു പറയുകയാണെങ്കിൽ ഏതെങ്കിലും ഒരു ഉദ്യോഗസ്ഥനു അധി കാരം കൊടുത്താൽ അയാൾ അതു ദുരുപയോഗപ്പെടുത്തുന്നപക്ഷം തി രിച്ചെടുക്കാനുള്ള അധികാരവും ഗവണ്മെൻറിനുണ്ട്.

MR. R. RAMAN PILLAI (*Kottayam*) : ഇങ്ങനെ ഒരു നിയമം പാസാ യി കഴിഞ്ഞാൽ ഈ അധികാരം ഗവണ്മെൻറിൽ നിന്നും പ്രത്യേകം എഴുതികൊടുക്കേണ്ട ആവശ്യമുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*) : അധികാരം കൊടുക്കുന്ന വി ഷയത്തിൽ ഗവണ്മെൻറിൽനിന്നും അധികാരപ്പെടുത്തുകതന്നെ വേണം. മജിസ്ട്രേട്ടിനും മററും ഒരു അധികാരം കൊടുക്കുന്നതു പ്രത്യേകം എഴു തി അധികാരപ്പെടുത്തിയിട്ടാണല്ലോ.

ഏതായാലും ഈ അധികാരം മററുള്ള എല്ലാ സ്ഥാപനങ്ങൾക്കും കൊടുക്കുന്നതിൽ തടസ്ഥമില്ലാതെയിരിക്കേ ശ്രീപാദം ഉദ്യോഗസ്ഥന്മാ ൎക്കു കൊടുക്കുന്നതിൽ മാത്രം തടസ്ഥം പറയുന്നതു് ശരിയല്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): മറേറതെല്ലാം സ്ഥാപനങ്ങൾക്കാണു ഈ അധികാരം കൊടുക്കാമെന്നു പറഞ്ഞിട്ടുള്ളതു്?

MR. P. S. MAHOMED (*Nominated*): പബ്ലിക്ക് റവന്യൂ എവിടെയെല്ലാം ഉണ്ടോ അവിടെയെല്ലാം ഈ അധികാരം കൊടുക്കാമെന്നു പറഞ്ഞിട്ടുണ്ട്.

MR. R. RAMAN PILLAI (*Kottayam*): ദേവസ്വം അധികാരികൾക്കു കൊടുക്കാമോ?

MR. P. S. MAHOMED (*Nominated*): എല്ലാവക്കും കൊടുക്കാം.

MR. A. G. MENON (*Parur*): ശ്രീപാദം റവന്യൂ പബ്ലിക്ക് റവന്യൂ വാണോ?

MR. P. S. MAHOMED (*Nominated*): എനിക്കു പറയാനുള്ളതു മുഴുവൻ ഞാൻ പറയട്ടെ.

പബ്ലിക്ക് റവന്യൂ എവിടെയെല്ലാമുണ്ടോ അവിടെയുള്ള ഉദ്യോഗസ്ഥന്മാക്കു ഈ അധികാരം കൊടുക്കാമെന്നും ശ്രീപാദം റവന്യൂവിനെ സംബന്ധിച്ചു മാത്രം ഈ അധികാരം കൊടുക്കാൻ പാടില്ലെന്നും പറയുന്നതു ശ്രീപാദം റവന്യൂപിരിയാതെയിരിക്കണമെന്നു ഒരു മനഃപ്പൂവ്വം ഈ കൌൺസിലിനു ഉണ്ടോ എന്നു കൂടി തോന്നിപോകും. നമുക്കു കൂടുതൽ അധികാരവും കൂടുതൽ അവകാശവും വേണമെന്നു വിചാരിക്കുന്ന ഈ സന്ദർഭത്തിൽ മൈനാറിട്ടിയിൽ ഇരിക്കുന്നതും എന്നാൽ വലിയ സ്ഥാനത്തു ഇരിക്കുന്നതുമായ ഒരു സ്ഥാപനത്തോടു പ്രത്യേകത നമുക്കു ഉണ്ട് എന്നുകൂടി വരുത്തേണ്ടതാണ്. നമുക്കു നൽകിയിട്ടുള്ള അധികാരം മററുള്ളവക്കു ഉപദ്രവകരമായി തീരുന്നില്ല എന്നു നാം കാണിച്ചുകൊടുക്കണം. അതു കൊണ്ടു ഈ അധികാരം അവക്കു കൊടുക്കേണ്ടതാണ് നമുക്കു കൺട്രോൾ ഇല്ലാത്ത പല സംഗതികളിലും അധികാരം കൊടുത്തിട്ടുണ്ട്. ഉദാഹരണമായി പോർട്ടാഫീസറെതന്നെ എടുക്കാം. പോർട്ടാഫീസർക്കു എന്തു അന്ന്യായവും ചെയ്യാൻ നാം അനുവദിച്ചു കൊടുക്കുന്നു. നമുക്കു കൺട്രോൾ ഇല്ല.

DEPUTY PRESIDENT: That is irrelevant in this discussion, Mr. Mahomed.

MR. P. S. MAHOMED (*Nominated*): ഞാൻ ഒരു ഉദാഹരണം പറഞ്ഞു എന്നെയുള്ളു. ഈ രീതിയിൽ നോക്കിയാൽ ഇങ്ങിനെ ചില തടസ്ഥങ്ങൾ എല്ലാ സ്ഥലത്തും ഉണ്ട്. അതിനാൽ ഒരു കൂട്ടക്കു മാത്രം അധികാരം കൊടുപ്പാൻ പാടില്ല എന്നുള്ള മി. രാമൻപിള്ളയുടെ അമൻറുമെൻറിനെ ഞാൻ എതിക്കുന്നു.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): റവന്യു റിക്കവറി റഗുലേഷൻ തിരുവിതാംകൂറിലെ സ്ഥാവരജംഗമവസ്തുക്കളുമായി ഇടപെടുന്ന ഒന്നാണ്. അപ്രകാരമുള്ള വസ്തുക്കൾ ഏകമായൊ

Mr. T. C. Kesava Pillai.]

മൊത്തമായൊ അതായത് തിരുവിതാംകൂറിൽ മുന്നിട്ടിരിക്കുന്ന ചട്ടങ്ങളുടെ പരിധിയിൽ ഉൾപ്പെട്ടിരിക്കുന്ന ഭൂമികളൊ, അല്ലെങ്കിൽ ജംഗമസാമാനങ്ങളൊ, അല്ലാത്തപക്ഷം മുൻസിപ്പാലിററി അതൃത്തിക്കകത്തുള്ള സ്ഥാവരജംഗമവസ്തുക്കളൊ, അല്ലാത്തപക്ഷം വില്ലേജ് പഞ്ചായത്തുകളൊ അതുപോലെയുള്ള പ്രത്യേകഅതൃത്തിക്കകത്തുള്ള സ്ഥാവരജംഗമവസ്തുക്കളൊ, ഈ റഗുലേഷനമായി കെട്ടുപെടുന്നതാണ്. എന്നാൽ ആ അതൃത്തിക്കകത്തുള്ള ആളുകൾ ഈ റഗുലേഷനാൽ കെട്ടുപെടുന്നില്ല. അതായതു ആളുകളെ അറസ്റ്റുചെയ്യുന്നതിനും മററും അധികാരമില്ല. അങ്ങിനെയിരിക്കെ ശ്രീപാദം വസ്തുക്കൾ എന്നു പറയുന്നത് പരസ്പരസഹായസംഘത്തിൽ ഉൾപ്പെട്ട അംഗങ്ങൾ താമസിക്കുന്ന അതൃത്തികൾ പോലെയൊ, അല്ലെങ്കിൽ മഠങ്ങൾ, മാസ്ക് മുതലായ സ്ഥാപനങ്ങളിൽ ഉൾപ്പെട്ട വസ്തുക്കൾ പോലെയൊ അല്ലാതെ മററു പ്രകാരത്തിൽ വിചാരിക്കുവാൻ നിവൃത്തിയില്ല.

MR. P. S. MAHOMED (*Nominated*) : മാസ്ക് എന്നു മെമ്പർ പറഞ്ഞത് പബ്ലിക് ഫണ്ടാണോ?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*) : നിങ്ങൾ അതിനെ അംഗീകരിക്കയാണെങ്കിൽ അതിനെ ഞാനും സ്വീകരിക്കാം. ശ്രീപാദം വസ്തുവക വസ്തുക്കളിലെ ഉദ്യോഗസ്ഥന്മാക്ക് കൂടുതൽ അധികാരം കൊടുക്കണമെന്നു പറയുകയും അതു സ്വീകരിക്കയുംചെയ്താൽ നാലഞ്ച് കൊല്ലം കഴിയുമ്പോൾ വഞ്ചിപ്പുഴ ചീഫിന്റെ അധീനത്തിൽ ഇരിക്കുന്ന വസ്തുക്കളെയോ മറേറതെങ്കിലും മഠംവക വസ്തുക്കളേയൊ കൂടി ഈ റഗുലേഷനിൽ കെട്ടുപെടുത്തണമെന്ന് ഒരഭിപ്രായം ഈ കൌൺസിലിൽ വരാൻ ഇടയുണ്ട്. യഥാർത്ഥത്തിൽ ചട്ടം ഉണ്ടാക്കുന്ന ആളുകളാണു നാം എന്നു വിചാരിക്കുന്നപക്ഷം ഇതിനെ അനുകൂലിക്കാൻ യാതൊരു ന്യായവും കാണുന്നില്ല. പേഷ്ക്കാർ, റവന്യൂ കമ്മിഷണർ, തഹശീൽദാർ, പാർവ്വത്യകാർ ഇവർ ചെയ്യുന്ന തെററുകളെ ചൂണ്ടിക്കാണിക്കുന്നതിനും അതിലേക്കു വേണ്ട പരിഹാരം ഉണ്ടാക്കുന്നതിനും ഒരു പക്ഷെ സാധിച്ചേക്കാം. എന്നാൽ ശ്രീപാദം വസ്തുക്കളുടെ അകത്തു കടന്നു മരംമുറിച്ചു എന്നു പറഞ്ഞ് ഒരു ഗോവിന്ദപ്പിള്ളയുടെയോ അല്ലെങ്കിൽ ഒരു മാത്യുവിന്റെയൊ പക്കൽനിന്നും നൂററിഅൻപതു രൂപാ ഈടാക്കണമെന്നു ശ്രീപാദം കാര്യസ്ഥൻ തീർച്ച ചെയ്യുന്നതനുസരിച്ച് ഒരു വിധിനടത്തു നടപടിപോലെ വസ്തുക്കൾ ജപ്തിചെയ്തുകൊണ്ടു പോകുന്നതിനു അനുവദിക്കുന്നതു ഒരിക്കലും ശരിയല്ല.

DEPUTY PRESIDENT: ഇതിൽ അങ്ങനെ ചെയ്യാൻ ഉദ്ദേശിച്ചിട്ടുണ്ടോ ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): അങ്ങിനെയില്ലെങ്കിലും അതൊക്കെ വരത്തക്കതാണ്. ശ്രീപാദം വസ്തു കൽക്കളം താലൂക്കിലും ഉണ്ട്. മിസ്റ്റർ പി. എസ്. മഹമ്മദ് പറഞ്ഞതുപോലെ ഇപ്പോൾ ശ്രീപാദം വസ്തുക്കൾ ഉൾപ്പെടുത്തണം, നാളെ വേണ്ട എന്നു പറഞ്ഞതായ പ്രത്യേകകാരണങ്ങൾ നിമിത്തം ദൂഷ്യമുണ്ടാകുന്നതാണ്. അതിനാൽ ചെയ്യുന്ന കാര്യങ്ങളെല്ലാം ന്യായമായിത്തന്നെയിരിക്കണം. ഇവിടെ എന്റെ സ്നേഹിതന്മാർ പറഞ്ഞിട്ടുള്ള ശക്തിമത്തായ അഭിപ്രായങ്ങളോട് ഞാൻ യോജിക്കുന്നു.

MR. A. S. DAMODARAN ASAN (*Mave'ikara* cum *Karti apa.li*): Sir, with your permission I wish to support my proposition seconding the amendment. I have already seconded it without a speech. I request you to permit me to support it with argument.

DEPUTY PRESIDENT: As a special case, I will permit you to do that, but it should not be put forward as a precedent.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Sir, the Revenue Recovery Regulation enables the Government as the creditor to realise their dues by summary processes through their agents. It is an extraordinary remedy granted to the Government for carrying on the administrative machinery in an efficient manner. If agents who are authorised to collect the revenue by these summary processes misbehave, the Government have got the disciplinary control over those officers and this Council can legitimately question the conduct of those agents or the Government with regard to that matter. So, this summary mode procedure is given under exceptional circumstances and under proper safeguards to a properly constituted Government. The attempt to delegate those powers to certain persons appointed by private bodies is likely to result in great hardship to persons against whom those powers are exercised. As was stated by some of our friends, the Sreepadom Officers are appointed by private agencies. There is no particular qualification prescribed for the Officers to whom these powers are to be delegated. The legislature when enacting a particular piece of legislation must always see that the powers conferred by that law is not misused. In this case as was stated, there is no minimum qualification prescribed for the officers; there is no disciplinary control over these officers; and this Council have no right to question the conduct of those particular officers. I admit that this Council could find fault with the Government for delegating authority to certain officers who have misused them. But that is not a sufficient control over the officers concerned. My friend, Mr. P. S. Mahomed, was saying that we are conferring that authority on the employees of Municipal Councils. What are they doing? They collect the revenue

[Mr. A. S. Damodaran Asan.]

due to the Municipality which exists for the benefit of the constituencies concerned. The money so collected is spent for the benefit of persons who pay for the Municipality. Is that the case with the Sreepadom Palace? It is an arrangement between two private agencies and we are conferring authority on one private agency for taking small processes against another. Is that proper? And what is the necessity for extending this extraordinary remedy to these private agencies? No ground has been made out. I wish to know from the learned Law Member or from any other member of Government the reasons that induced the Government to extend the authority of the employees appointed by the Sreepadom Palace. That has not been made clear. When we enact a legislation there must be some urgency or necessity for it. Nothing is stated. Government merely say 'We want to extend it.' Sir, it has been stated that this right has been given to some officers of the Edapally Chief. This power has been granted to the Proverthikar and other officers appointed by the Edapally Chief.

DEPUTY PRESIDENT: Is that so?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): The Proverthikars of Kallupara appointed by the Edapally Chief exercise these powers.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am not aware.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) I am aware. I have led a deputation to the Dewan with reference to the use of these powers by the Proverthikars.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): മെമ്പൎക്കുവല്ല കരവും ഈടാകാനുണ്ടോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): എനിക്കു യാതൊരു കരവും ഈടാകാനില്ല. അതിലേക്കുള്ള അധികാരവും എനിക്കുവേണ്ട.

In Thriukunnapuzha and Kallupara and other pakuties, the Edapally Chief is entitled to use those powers.

MR. A. THANU PILLAI (*Trivandrum*): May I know whether there has been any legal authorisation?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Whether there has been any legal authorisation or not, we find that they are using it.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Are they not doing it under the orders of the Tahsildar?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*); Yes. The Tahsildar's powers are not conferred upon the Proverthikars. Tahsildars have to confirm the proceedings of the Proverthikars. The attachment of movables and immovables is not done by the Proverthikars on their own accord.

DEPUTY PRESIDENT: Your point with reference to that is that the powers are delegated to parties appointed by a private individual?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Yes. The powers are delegated to private parties over whom the Government officers have no disciplinary control. From experience we have learned that these powers are not properly used. Another question is asked whether this Council or the majority of it has not recommended the extension of these rights to the Jenmies. All that is stated is that if the Jenmy finds it difficult he could apply to the Tahsildars concerned for the recovery of his dues.

MR. V. CHELLAM PILLAI (*Tovala*); മി. ആശാന്റെ പരിഭ്രമം, ഗവണ്മെന്റിന്റെ അധീനതയിലല്ലാത്ത ആളുകൾക്കു ഈ അധികാരം കൊടുത്താൽ അവർ അതിനെ ദുരുപയോഗപ്പെടുത്തുമെന്നാണോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ദുരുപയോഗപ്പെടുത്തും. അങ്ങിനെ ദുരുപയോഗപ്പെടുത്തിയാൽ അവരെ ശിക്ഷിപ്പാൻ വകുപ്പില്ല.

MR. V. CHELLAM PILLAI (*Tovala*): ഗവണ്മെന്റിന്റെ കൺട്രോളിൽ ഈ ഉദ്യോഗസ്ഥന്മാർ ഇരുന്നാൽ ഈ അധികാരം ഡെലിഗേററു ചെയ്തുകൊടുക്കാമോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ഗവണ്മെന്റിന്റെ ഡിസിപ്ലിനറി പൌവ്വറിനകത്തുള്ള ഉദ്യോഗസ്ഥന്മാർക്കു കൊടുക്കുന്നതുകൊണ്ടു യാതൊരു തടസ്ഥവുമില്ല.

So, what I submit is that this Council should deeply consider over this matter before it votes upon the amendment.

MR. V. CHELLAM PILLAI (*Tovala*): അങ്ങിനെ കൊടുക്കുന്ന അധികാരം പിൻവലിക്കാൻ ഗവണ്മെന്റിനധികാരമുണ്ടോ ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapall*): പിൻവലിക്കാമെന്ന് ഇപ്പോൾ പറയുന്നില്ല. എന്നാൽ ഡെലിഗേററു ചെയ്യാമെന്നു പറയുന്നുണ്ട്. പിൻവലിക്കാൻ അധികാരം ഉണ്ടോ ഇല്ലയോ എന്നുള്ളതു് അവർതന്നെ നിശ്ചയിക്കണം. പിൻവലിക്കാൻ ഗവണ്മെന്റിനധികാരമുണ്ടെന്നു ഇവിടെ വാദിക്കുന്നതുകേട്ടു. ഞാൻ അതിനെപ്പററി തീർച്ച പറയുന്നില്ല. അതു ഒരു കോടതി പറയേണ്ടതാണു്.

All that I have to say is that this Council should think deeply over this matter before it rejects the amendment proposed by Mr. Thanu Pillai.

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ഞാൻ മിസ്റ്റർ താണുപിള്ളയുടെ അമൻറുമെൻറിനെ അനുകൂലിക്കുന്നു. പബ്ലിക്ക് റവന്യൂ പിരിക്കുന്നതിനുള്ള അധികാരം ചില ഉദ്യോഗസ്ഥന്മാർക്കു കൊടുക്കാ

[Mr. Muruvelil Pachu Pillai.]

മെന്നും എന്നാൽ ശ്രീപാദം ഉദ്യോഗസ്ഥന്മാൎക്കു കൊടുക്കാൻ പാടില്ല എന്നും ആണു് ഇതിന്റെ താല്പൎയ്യം. മറ്റുള്ള ഉദ്യോഗസ്ഥന്മാൎക്കു ഈ അധികാരം ഉപയോഗിക്കാമെന്നും ശ്രീപാദം ഉദ്യോഗസ്ഥന്മാൎക്കു മാത്രം ഈ അധികാരം കൊടുക്കാൻ പാടില്ലെന്നും പറയുന്നതിന്റെ ന്യായാന്യായത്തെപ്പറ്റിയാണു് നമുക്കിവിടെ ആലോചിക്കേണ്ടതു്. പബ്ലിക്ക് റവന്യൂ പിരിക്കുന്നതിനു ചുമതലപ്പെടുത്തിയിട്ടുള്ള മറ്റുദ്യോഗസ്ഥന്മാർ നടത്തുന്ന നടപടികളെ സംബന്ധിച്ചു് ചോദ്യംചെയ്യുന്നതിനു് പടിപ്പടിയായി മേലുദ്യോഗസ്ഥന്മാൎക്കും അവരുടെ നടപടികളെപ്പറ്റിയും അവരിൽനിന്നും അപ്പോഴപ്പോൾ ഉണ്ടാകുന്ന സംഗതികളെപ്പറ്റിയും ചോദ്യംചെയ്യുന്നതിനു ഈ കൌൺസിലിനും അധികാരം ഉണ്ടു്. എന്നാൽ ശ്രീപാദം ഉദ്യോഗസ്ഥന്മാൎക്കു ഈ വിഷയത്തിൽ പടിപ്പടിയായി മേലുദ്യോഗസ്ഥന്മാരില്ല. അവരുടെ നടപടികളെപ്പറ്റി ചോദ്യംചെയ്യുന്നതിനു കൌൺസിലിനും അധികാരം ഇല്ല. ഇങ്ങനെ സ്വാതന്ത്ര്യമായി പ്രവൎത്തിച്ചുകൊണ്ടിരിക്കുന്ന ഒരു കൂട്ടം ഉദ്യോഗസ്ഥന്മാരുടെ പക്കൽ ഈ മാതിരിയുള്ള സമ്മറിയായ നടപടികൾ നടത്തുന്നതിനുള്ള അധികാരം കൊടുക്കുന്നു എങ്കിൽ അതു ജനങ്ങൾക്കു വളരെ ദോഷകരമായിരിക്കുകയില്ലേ എന്നു ഞാൻ ശങ്കിക്കുന്നു. അതുകൊണ്ടാണു് ഈ അധികാരം ശ്രീപാദം ഉദ്യോഗസ്ഥന്മാൎക്കു കൊടുക്കാൻ പാടില്ല എന്നു ഞാൻ പറയുന്നതിനുള്ള പ്രധാനകാരണം. ഇപ്പോൾ ശ്രീപാദം ഉൾപ്പെട്ട വസ്തുക്കളുടെ കരം ഈടാക്കുന്നതിനുള്ള നടപടികൾ നടത്തുന്നതു്, ശ്രീപാദം ഉദ്യോഗസ്ഥന്മാർ അവൎക്കു ഈടാകേണ്ട തുകകളെ സംബന്ധിച്ചുള്ള കണക്കുകൾ പകുതിഉദ്യോഗസ്ഥന്മാൎക്കു് അയച്ചു് പകുതി ഉദ്യോഗസ്ഥന്മാർ മുഖേനയാണു്. ഇനിയും ഈ നടപടി തന്നെ തുടൎന്നുകൊണ്ടു പോകുന്നതിലുള്ള വൈഷമ്യം എന്താണെന്നു് മനസ്സിലാകുന്നില്ല. പകുതി ഉദ്യോഗസ്ഥന്മാർ കരം ഈടാക്കുന്ന വിഷയത്തിൽ എന്തു് തെറ്റു പ്രവൎത്തിക്കുന്നതായാലും അതിനെപ്പറ്റി ചോദ്യംചെയ്യുന്നതിനു് തഹശീൽദാർ, പേഷ്കാർ, ലാൻഡ്റവന്യുകമ്മീഷണർ എന്നീ ഉദ്യോഗസ്ഥന്മാർ ഉണ്ടു്. ആ പതിവിനെ വിട്ടിട്ടു് ശ്രീപാദം വസ്തുക്കളുടെ കരം ഈടാക്കുന്നതിനുള്ള അധികാരം പ്രൈവറ്റ് ഏജൻസിക്കോ അവർ അധികാരംകൊടുക്കുന്ന അവരുടെ ഉദ്യോഗസ്ഥന്മാൎക്കോ സ്വാതന്ത്ര്യമായി കൊടുക്കണമെന്നു വന്നാൽ അതുനിമിത്തം വലുതായ ദോഷങ്ങൾ ഉണ്ടാകും. ഒന്നാമതു് അവർ തെറ്റുചെയ്താൽ അതിനെപ്പറ്റി ചോദ്യംചെയ്യുന്നതിനു മേലുദ്യോഗസ്ഥന്മാരില്ല. ഈ കൌൺസിലിനു ചോദിക്കുന്നതിനു് അധികാരവുമില്ല. ആ സ്ഥിതിക്കു് ഇ

ങ്ങനെയുള്ള കൂട്ടരുടെ കയ്യിൽ ഈ അധികാരം കൊടുക്കുന്നതു് ഒരിക്കലും നന്നായിരിക്കുകയില്ല. അതുകൊണ്ടു് മിസ്റ്റർ താണുപിള്ളയുടെ അമൻറുമെൻറിനെ ഞാൻ പിൻതാങ്ങുന്നു.

MR. A. THANU PILLAI (*Trivandrum*): Sir, this amendment has been moved by me out of a consideration of several circumstances. In the first place this is clearly opposed to all principles of sound legislation and administrative policy. Sir, I take it that ordinarily it is a Court of law that should settle a transaction if parties cannot agree between themselves. If any party has to seek a remedy against another that has to be sought through a court of Law. The only exception to that is where the Sovereign comes in. Where it is dues realisable by Government one can easily understand that coercive measures can be resorted to. When it is a transaction between two parties and when one party seeks the remedy against another it is the Court of law in the land that ought to help the party. In this case, no doubt, a departure has been made by allowing the dues realisable by the Sreepadom Palace to be realised under the provisions of the Revenue Recovery Regulation. That is an indulgence extended to the Sreepadom Palace out of the consideration that the Sreepadom after all forms part of the Ruling House of the State. I do not forget for a moment that a similar concession, though in a different way has been extended to two other Houses in the State, namely, the Kilimanur Palace and the Edapally Palace. These concessions have been granted to them out of historical and other peculiar circumstances. But that does not mean that the rights of the citizen should in any way be allowed to be interfered with except in the proper way and through the proper channel. The legislature on a former occasion when it legislated for these two Palaces took the greatest care that the rights of the citizens are not easily violated by the Kilimanur and Edapally Chiefs. The Rent Recovery Regulation was passed but they took care to see that the remedy they sought was through the Government Officers. The establishment of the Chiefs has to apply to the Tahsildars of the locality to set the Revenue Recovery Regulation in motion. We can appreciate that. In the case of the Sreepadom Palace the same thing was not contemplated. The idea was to include the Sreepadom under the rent Recovery Regulation but out of regard to the prestige of the Sreepadom it was considered derogatory to be classed in the same category as the Edappalli chief. So the revenue was included under the term 'public revenue' and provision was made in the Revenue Recovery Regulation. It was provided that the Revenue Recovery Regulation can be applied to the Sreepadom Palace. But care was taken that the agency was the Government agency. If the Sreepadam Palace wanted to apply this Regulation they ought to do so through the local officers. Of course, the legislature could have even then provided that the Sreepadom Palace Officers could be invested with these powers. But then they did not do it, purely out of consideration to a citizen who happend to be a land-holder of the Sreepadom Palace. Now we are called upon to empower the Sreepadom

[Mr. A. Thanu Pillai.]

with these wide powers. I shall lay before the Council a brief summary of the powers of these officers.

According to the Regulation the public revenue can be realised by the attachment and sale of movable property as well as immovable properties. The powers of these officers are these. The Tahsildar ought to issue a notice through the Proverthicar or other person. After this notice is served the movable or the immovable property is attached. If it is movable property he can attach it himself or through the Proverthicar. To attach a movable property one can force open the doors of a land-holder. Sir, I ask is it proper to vest these powers in the hands of such officers? Some land-owners may owe money to the Government. He may not have money to pay it off. The Sreepadom officer might have made a wrong calculation. Requisitions might be placed before the Manager. An order may be issued. The house owner may not be in the House. Only his wife and children are left there. The Sreepadom officer can force open the door of the house. This power, it seems to me, may not appeal to people who are not directly affected by this. The property is seized and the sale is effected. The money is credited and if there is any balance it may be given to the owner. Now in the case of immovable property, similar notice is issued, and the property is attached by the Tahsildar directly or by the Proverthicar. The sale is effected by the Tahsildar. Then for the confirmation of the sale Peishkar's sanction is required. The Tahsildar writes to the Peishkar and gets sanction. If the Peishkar's power is also invested in the Sreepadom officer as is sought to be done now, powers of the Peishkar, Tahsildar and proverthikar are to be conferred upon a. employee of the Sreepadom Palace. According to the proposal, but for my amendment, sanction is given to the employee of the Sreepadom Palace and then the Peishkar can also issue a warrant conferring title to the property on the purchaser and that can be done within the Palace precincts itself. That is the proposal before the House. Are these extensive powers to be conferred on these officers? I am afraid that enough interest does not seem to be taken in this matter because this House is composed of members who come from all the taluks of the State and it is only mainly the taluk of my friend Mr K. P. Nilakanta Pillai that is going to be affected by this piece of legislation. Now there are also some lands belonging to the Palace in one or two taluks in South Travancore. Of course, it does not affect the holdings of the people of Travancore at large.

MR. R. RAMAN PILLAI (*Kottayam*): ഓരോനിയോജകമണ്ഡലങ്ങളിലേയും മെമ്പർമാർ അവരുടെ നിയോജക മണ്ഡലങ്ങളിലുള്ള കാര്യങ്ങൾ മാത്രം പറയാൻ വരുന്നവരാണോ?

MR. A. THANU PILLAI (*Trivandrum*): അങ്ങിനെ പറഞ്ഞില്ല. ഇതിനെപ്പറ്റിയുള്ള കൂടുതൽ വിവരങ്ങൾ മി. നീലകണ്ഠപിള്ളയെക്കാൾ മറ്റാർക്കും പറയാൻ സാധിക്കുകയില്ല എന്നാണ് പറഞ്ഞത്.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): If this amendment is passed, may I know if an employee of Messrs. Spencer and Company who is engaged in the collection of revenue is prohibited from collecting the Sripadom revenue?

MR. A. THANU PILLAI (*Trivandrum*): I do not say that the Sripadom Palace has been reduced to such a condition that an employee of Messrs. Spencer and Company will be allowed to collect revenue. So we need not contemplate such contingency. It will have enough funds and resources to employ its own officers.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): I mean no disrespect to the Palace as my friend would seek to suggest.

MR. A. THANU PILLAI (*Trivandrum*): I also mean no disrespect. I never suggested that. The legal enactment of this provision says that any person engaged in the collection of revenue is empowered with the powers of the Peishkar whether it be any person either the employee of the company or not.

DEPUTY PRESIDENT: Then he becomes an employee of the Palace.

MR. A. THANU PILLAI (*Trivandrum*): These are the powers of these officers. I may also mention one or two facts in connection with this. Even the other day when a similar question was discussed here the learned Law Member stated that even lands other than those on which dues are charged could be sold.

DEPUTY PRESIDENT: That forms part of a very large question. You need not talk of it here now.

MR. A. THANU PILLAI (*Trivandrum*): It is very important, Sir. It is not the Palace land that would be liable, but Pandaravaka lands that would be sold. Even that is possible under the Regulation. Of course we must take into consideration all the implications of the contingency that is now proposed. That is why I refer to that. There is also one other aspect of the question. Government are made liable for actions of the officers. There is a Section in the Regulation making the Government liable. Now, my humble submission is that these exhaustive powers should not be conferred upon any person who is not directly responsible to Government for any of his actions in his official capacity. Then it was stated here that there should be powers of revision by the Dewan and the Land Revenue Commissioner. If these powers are vested in the employees, then there remains only the power of revision vested in the Dewan and, if delegated, on the Land Revenue Commissioner. As a lawyer, I know what this power of revision means. I may say that in 99 cases out of 100 the exercising power of revision is nil.

DEPUTY PRESIDENT: And you are satisfied with that very unsatisfactory powers of revision to be vested in the Sovereign and you want substantial powers to be invested on the revenue authorities in the Revenue Department?

MR. A. THANU PILLAI (*Trivandrum*): I say that substantial relief should be sought for in the original or appellate court. When it comes to the revision court it is a matter left, more or less, to the whims and caprices of the officer.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Is there anything in the Section which is in support of his view?

DEPUTY PRESIDENT: That was wrong. He ought not have raised it.

MR A. THANU PILLAI (*Trivandrum*): I used it in the popular language not as a lawyer. We all know what the discretion of the officer is. Even my friend the learned Law Member cannot contradict me on that point.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May I ask whether the Section lays down any restriction on the revising authority or on the way in which the revision power should be exercised?

MR. A. THANU PILLAI (*Trivandrum*): That is all the more dangerous.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether questions of fact could be revised by the revisional court?

MR. A. THANU PILLAI (*Trivandrum*): That is known to all. Sr, as I understand it, every Tahsildar serving under the Government to-day is doubtless a graduate in arts. I am not quite sure. Probably there may be exceptions. I do not think there are many and most of them are graduates in law. They became Tahsildars after having served for a number of years under the able control of gentlemen like Mr. George or the Land Revenue Commissioner or as Magistrates under the High Court and the District Officers. Now, they come after a long period of service as Tahsildars—ripe men of at least 35 and generally between 40 and 35. It is such men that are made Tahsildars under the Government. But what are the parallel officers under the Sripadom Office? If the Palace employees are given these powers I cannot be wrong in taking it that the present Manager will be invested with the powers of the Tahsildar. Who is the present Manager? Is he a graduate? He is not.

DEPUTY PRESIDENT: Graduates may be put in later on.

MR. A THANU PILLAI (*Trivandrum*): Now we are legislating upon what is taking place with the present officers.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): What is the pay of the Manager?

MR. A. THANU PILLAI (*Trivandrum*): It must be very small, I do not know. I wanted to put some questions to the Law Member, Mr. George or the Land Revenue Commissioner. I do not know him personally. I made enquiries and found out that the present Manager is not a graduate. He is only a matriculate or so.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Is that the opinion of the member that only graduates can gather experience?

MR. A. THANU PILLAI (*Trivandrum*): As the world understands, graduates are supposed to be a better class than non-graduates. There is no denying the fact so far as the administrative matters are concerned. That is admitted by all. I also go by accepted standard. The present Manager is a matriculate or something less than that. I do not know exactly what his qualifications are. Sometimes intricate questions may arise in the application of this provision. Claims will have to be investigated, the property may have to be attached. There may be several claimants to a certain property. Then the officer may have to decide the claim. What is the sort of officer that is to be invested with these powers, I ask? What guarantee is there that graduates will be appointed afterwards? It may be certain that Government will take care that proper officers will be invested with these powers. Suppose the Manager is invested with this power. I can say that he will not be in a position to discharge his responsibility satisfactorily. Unfortunately this Bill is now brought forward by the Government at a time when the Head of the Sripadom Palace is the Sovereign.

DEPUTY PRESIDENT; Do you mean to say that it should be issued by a Proclamation instead of passing through this Council?

MR. A. THANU PILLAI (*Trivandrum*) I do not say so. I am of opinion that Proclamation should not be resorted to except in unavoidable circumstances. So much about the present Manager.

As for the subordinate officers Mr. Kunjtomman has been crying in this House for the appointment of Roman Catholics and other unrepresented communities as Proverthikars. All the members on this side of the House know how that cry is being received by the Government benches.

DEPUTY PRESIDENT: Sympathy wherever possible.

MR. A. THANU PILLAI (*Trivandrum*): He wants them to make Proverthikars without passing through the stage of Accountants. But Mr. Robinson and, I may say, his successor rises up and says no, men who want to become Proverthikars must gain experience as Accountants. He must bide his time. That is the sort of answer that is given. What guarantee is there that the Proverthikars are experienced men? Is there any guarantee? Absolutely none. By this Bill we are going to invest these powers on such Proverthikars.

MR. P. S. MAHOMED (*Nominated*): മുനിസിപ്പാലിററിയിലും ഇങ്ങനെ യല്ലേ നടക്കുന്നതു്?

MR. A. THANU PILLAI (*Trivandrum*): മുനിസിപ്പാലിററിയിലെ പ്രസിഡൻറന്മാർ കൊള്ളാവുന്നവരായിരുന്നാൽ യോഗ്യന്മാരെ നോക്കി ഇതിലേക്കു നിയമിക്കും.

I believe they are made Proverthikars in the Revenue Department. As the learned Deputy President himself as member, when this matter was discussed on a former occasion remarked that the Government employees as well as Municipal employees and when the time comes

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employees of other local bodies will certainly have security of tenure. They can hope for pension. Honest and faithful officers will be well rewarded. Disobedient officers will be given tight punishments.

DEPUTY PRESIDENT: What is the relevancy of your quoting my views?

MR. A. THANU PILLAI (*Trivandrum*): Your own experience and the value attached to your words.

There is absolutely no guarantee that responsible officers will be vested with these powers. Then there is great danger. Suppose a Proverthikar has got some grudge against a land-holder. He wants to break open his house. That can easily be done. When he goes to the Tahsildar, of course, he is also a Palace employee, somehow the matter is settled there unfavourable for him. Then it goes to the higher authorities in the same establishment. What can the Revenue Commissiener do in revision even if his misconduct is proved. He disbelieves the land-owner. The employee may have enough hold on the revenue authorities.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Will he not be liable in a court of law?

MR. A. THANU PILLAI (*Trivandrum*): That is the sort of legislation that you want us to adopt. There is suit provided for any number of other actions. That is why I said Government will be held liable for the provision. That is objectionable.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): How many poor cultivators will be prepared to go to a court of law against these officers?

MR. A. THANU PILLAI (*Trivandrum*): They might even lose their property. This Bill was passed in 1068. We are in the year 1106. Nearly 40 years have elapsed. No necessity was felt during all these years to revise the law. I ask what is the necessity which induces them to bring up this Bill now?

DEPUTY PRESIDENT: Probably, it is recently that they discovered that they had not authority to exercise these powers.

MR. A. THANU PILLAI (*Trivandrum*): They never exercised these powers. If I may refer to what the Trivandrum Division Peishkar told us in the Select Committee that he was not able to give us any information regarding the authorisation whatsoever in the delegation of powers to the employees of the Palace. There have been no such cases. If the employees of the Palace have got these powers also no substantial good is done, but on the contrary a great deal of harm may result. An objection may be made as to how we are going to give these powers to the Municipal employees and other local bodies. The Municipal employees are indirectly Government officers.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): മുനിസിപ്പാലിററികൾക്കു പ്രത്യേകം ബൈലാസുണ്ടെന്നറിയാമോ?

MR. A. THANU PILLAI (*Trivandrum*): അതൊരുകാര്യം.

Municipalities are under the control of Government. There is the Statute prescribing duties, rights and liabilities of the officers of the Municipalities. Everything is governed by law. There is the control of the Government over it. Municipality is a popular body. What guarantee is there that that is the state of affairs with the Sripadom Palace. It is after all a one person concern. As mentioned by some members on this side of the House it will also deprive the House of its control over it.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*): Does not it involve surrender of our rights?

MR. A. THANU PILLAI (*Trivandrum*): Yes, it does. When any irregularity is found in the collection of public revenue or failure on the part of other officers we can question them in Council. But in this case we are deprived of this right by this enactment. I am afraid it will be a great dis-service to the land holders if this law is passed. So, I press my motion.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, that the dues of the Sreepadom Palace have been treated as public revenue under the Revenue Recovery Regulation must be taken as a settled fact—

MR. A. THANU PILLAI (*Trivandrum*): Is it not purely for purposes of collecting revenue and for no other purpose at all?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I shal take it that they have been treated as public revenue for purposes of collection. That is all we are concerned with now. That is a settled fact and it is not open to question to-day or to be challenged by the House in this debate. That being so, it must be conceded as a logical consequence that that public revenue may be collected in the same manner as other public revenues are collected, namely, by the ordinary public revenue recovery processes. That also admits of no questions.

Then, the question that has to be considered now is about the persons who may collect this revenue. Sir, the ordinary public revenues due to Government are collected by the officers of Government. What is proposed to be done now is to invest officers of local bodies and officers of the Sreepadom Palace with the power to collect the dues due to their institutions in the same way as Government officers are given the power to collect the dues due to them. From the speeches of the non-official members to-day and from the trend of the criticisms here, one would understand that the House is perfectly willing to give the power to collect these revenues provided Government appoint their own Proverthicars, their own Tahsildars, and their own Peishkars. But they object if Government propose to confer this power on any person who is not an employee of the Government. They say, let Government appoint *any* person, as their Proverthikar or Tahsildar or Peishkar and confer the powers on him, be he a graduate or a non-graduate, be he a literate or an illiterate person, since the Statute does not impose any restriction in regard to such appointments but if they happen to give the

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power to an employee of the Sreepadom Palace, even though he be the greatest saint in the world, they object. That attitude I submit, is unintelligible. I admit that the Government may have control over the public actions of Government officers and Government may be made to answer in this House for the conduct of their officers. But it will be noted that what is done by this Bill is not straight away to invest the officers of the Sreepadom Palace with the powers. What is proposed to be done is to confer authority on Government to confer certain powers on the employees of the Sreepadom Palace. If the Government are found to act unwisely, indiscretly or wrongly in the exercise of that authority then it is perfectly open to this House to censure them or even take the extreme step of taking away altogether the authority by repealing this Section itself. When such powers are clearly available to the House, I ask the question, 'why should any objection be raised now to give the Government authority to confer certain powers on the employees of the Sreepadom Palace' ?

MR. A. THANU PILLAI (*Trivandrum*) : Does the Law Member admit that the conduct of the Sreepadom employees cannot be called in question here ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I am prepared to admit that.

MR. A. THANU PILLAI (*Trivandrum*): Does the member also admit that the disciplinary action over the officers of the Government rests with this Council?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No, I do not admit that. The House's relation is with the Government. Government will answer for their officers.

MR. A. THANU PILLAI (*Trivandrum*) : But can they not discuss such questions here ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Yes.

MR. A. THANU PILLAI (*Trivandrum*): Does the Law Member admit that the conduct of the employees of the Palace, in spite of the provisions of this Bill, can be discussed ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Be it so. Does it make any real difference? This House has really no power of taking disciplinary action such as fining, suspending or dismissing, any single officer of the State, even the lowest Proverthicaran.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : Cannot the House pass a resolution recommending the dismissal of any particular employee of the Government?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Even so, it will be only a *recommendation.*

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : What about the employees of the Sreepadom Palace?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am prepared to admit that that cannot be done in regard to the employees of the Sreepadom. What I was saying was that the House's relations are really with the Government. If Government do not act according to the mandates from this Council then it is perfectly open to the Council to censure them. Similarly, in this instance of Government conferring powers the Council can either pass a censure on the Government or take the step of repealing the section whenever they find that the Government misconduct themselves in the exercise of those powers. So long as this power rests with the House, I do not see the logic of members objecting to this Bill on imaginary grounds. Various difficulties are imagined by members, such as the breaking open of doors, etc.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know from the Law Member what is the reason for conferring these powers now?

DEPUTY PRESIDENT: Please ask him the question after he has finished his speech.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know from the member whether he is aware that such things are brought to the notice of the Government in the case of ordinary proverthicars of the State. Is it mere imagination on the part of members on this side of the House so far as the Sreepadom Palace alone is concerned? Should we not expect that the ordinary acts of misdeeds of the ordinary Proverthicars will be done by the proverthicars of the Sreepadom Palace?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): But no member has been able to say that any proverthicar acted wrongly merely because it is the Government that appoint him.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Is it the argument of the Law Member that before this piece of legislation is passed, we must point out the misdeeds of proverthicars?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): In opposing the provision, they must be able to say that definitely and not rest on bare possibilities.

So long as the House has got the right to withdraw those powers, I ask 'why should you refuse to give the powers now unless you are able to show that Government will surely misconduct themselves.' As for the possibilities, there is the power to withdraw at any time what is now given.

Sir, another point that I want to press on the attention of this House is that it was stated that as regards Tahsildars there is a rule that he should be a graduate, etc. I ask, is it because of any statutory obligation that the Government passed such a rule? Did the House recommend to the Government to pass a rule to the effect that all Tahsildars must be graduates? No Government exercised their responsibility in the matter. If that is so, is it too much to ask the House to rely on them in the present case also. Cannot the House rely on the

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Government to see that they will not confer the powers except on persons who are suitable and who will exercise the powers in a just and lawful manner ?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Is it purely on their own initiative that Government passed such a rule ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I believe so.

In regard to the matter that I mentioned, namely the rule that Tahsildars should be graduates, did the House pass a resolution to the effect ? If they did not, why did the Government do it ? The question, I ask, is, cannot the Government therefore be relied on to confer these powers on proper persons. If, as I said, the Government are found to misconduct themselves, then the House can take away the power entirely. So long as that power is vested in this House I cannot understand the opposition on the ground that this House has no power over the employees of the Sreepadom Palace, and that it cannot directly censure them.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): I may inform the Law Member that even under the existing powers vested in them there are numerous complaints. Recently the tenants presented a memorial to Her Highness the Maha Rani Regent.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am prepared to accept the information. That does not affect the situation at all. The question is, cannot the Government be relied on to confer these powers on proper persons ? Has anything been shown that they will not exercise those powers correctly ?

MR. A. THANU PILLAI (*Trivandrum*): May I know whether Government will not do things properly even without the existence of this Council ? Then why should there be any Council at all ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am prepared to speak on the benefits of the Council for three hours; only that is irrelevant to the subject of the present debate.

Therefore, Sir, my submission is that so long as any member has not established that the Government have already misconducted themselves or will surely misconduct themselves there is no reason for opposing this measure.

As regards the control over the employees of the Sreepadom Palace, the control may be as I explained on a previous occasion, over the *functions* of the employees or over the *employees themselves*. In respect of the functions, there is a very wide provision in Section 50 of the Revenue Recovery Regulation which lays down that 'the Dewan may for sufficient reason, revise any orders passed, or proceedings taken by a Division Peishkar, Tahsildar or Proverthicar, under the provisions of this Regulation, or may, generally or in certain cases or certain

classes of cases only, delegate such powers of revision to the Land Revenue and Income Tax Commissioner'. I request the House to particularly note that I have no proposal to-day that the power of the Commissioner should be conferred on the Sreepadom employees. The powers of the Proverthicar, Tahsildar and Peishkar may be with the Sreepadom Palace employees. But the ultimate powers will be with the Government or the Land Revenue Commissioner. In regard to the powers of revision, the Dewan may for any *sufficient reason*, revise any orders. There is no restriction on the powers of revision. Apparently Mr. Thanu Pillai has been misled by the revisional powers of civil courts which are subject to restrictions—No such restriction is made under this Section. Therefore the question of whim or fancy or caprice does not arise when the power under this Section is exercised. The term "revision" is very comprehensive.

MR. A. THANU PILLAI (*Trivandrum*) : Does the member recognise that there is a difference between the words 'revision' and 'appeal' ?

DEPUTY PRESIDENT : Are you prepared for a definite provision that the powers that can be delegated by the Government under this Section will only be the powers of the Tahsildars and Proverthicars?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : The idea of the Government *at present* is to confer only the powers of Tahsildars and Proverthicars. We never thought of conferring the powers of a Peishkar on the employees of the Sreepadom Palace. Not that I am giving any undertaking of that kind in order to get this measure passed. Only as a matter of fact Government never thought of conferring the powers of the Peishkars on the employees of the Sreepadom Palace. Of course, when a Section is worded, it has to be worded generally, particularly because the powers of the Peishkars have to be conferred on the Presidents of Municipalities.

MR. A. THANU PILLAI (*Trivandrum*) : Is there anything to show that, when the personnel changes, the intention of the Legislature may also change ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*); There is nothing.

The House may take it from me however that the Government did not think of conferring the powers of the Peishkar on the employees of the Sreepadom Palace. It was only the conferment of the powers of the Tahsildars and the Proverthicars that was in our mind and it is those powers that are now proposed to be vested in the employees of the Palace, although no such restriction is intended to be laid down.

In regard to the control over the actions of the employees, as I submitted on a previous occasion, Government can withdraw the powers they confer on them. Mr. Damodaran Asan seems to express some doubt about it. If Mr. Damodaran Asan would bring in an amendment now that the power of Government shall be taken to include the power to withdraw, I am prepared to accept it without raising any question of notice.

MR. A. THANU PILLAI *(Trivandrum)* : Is there any serious objection in that? If Government can confer powers can they not withdraw those powers?

DEPUTY PRESIDENT : Some such suggestion was made to remove that misapprehension of Mr. Damodaran Asan. Mr. Paramesvaran Pillai says that, if Mr. Damodaran Asan will bring in an amendment to that effect, he is prepared to accept it.

MR. KAYALAM PARAMESVARAN PILLAI *(Additional Head Sirkar Vakil)* : If the Government can withdraw those powers, then they can exercise the maximum amount of discipline over the employees of the Sreepadom Palace; it will be tantamount to dismissing them. By withdrawing the powers Government virtually dismiss the employee so far as the power is concerned.

MR. K. MADHAVAN PILLAI *(Trivandrum cum Neduvangad)*: Who is to bring to the notice of the Dewan the misconduct on the part of the employees of the Sreepadom Palace?

MR. KAYALAM PARAMESVARAN PILLAI *(Additional Head Sirkar Vakil)* : Mr. K. P. Nilakanta Pillai himself can bring it to the notice of the Government through this House or otherwise. Anybody can bring it to the notice of the Government. There is no restriction in regard to it.

Over and above all these, there is a right which is very highly valued by all citizens—the right of civil suit. It is given in this Regulation in very wide language. The Section reads :

'Nothing in this Regulation shall be held to prevent parties deeming themselves aggrieved by any decision or order passed or proceedings taken or purporting to be passed or taken under this Regulation for arrears due or alleged to be due from such parties from suing the Government in the Civil Courts.'

MR. R. RAMAN PILLAI *(Kottayam)* : സർക്കാരിന്റെ മേൽ ഒരന്യായം കൊടുത്തു വിധിസമ്പാദിക്കാൻ എത്രകാലം വേണ്ടിവരും.

MR. KAYALAM PARAMESVARAN PILLAI *(Additional Head Sirkar Vakil)* : That is a different matter.

DEPUTY PRESIDENT : പ്രൈവറ്റ് പാർട്ടിയായാൽ തന്നെയും പത്തു പന്ത്രണ്ടു കൊല്ലംവരെ ആകുന്നുണ്ട്.

MR. KAYALAM PARAMESVARAN PILLAI *(Additional Head Sirkar Vakil)* : The only thing that is beyond the purview of the Civil Courts is the amount of tax. If anything wrong happens, there is nothing to prevent the persons aggrieved to resort to a Civil Court. I ask the members to compare the language of this Section with the corresponding provision in any other Regulations and then tell me whether this is not wider in scope. There is therefore nothing to apprehend that the citizen will be irretrievably injured.

MR. A. THANU PILLAI *(Trivandrum)* : Because an enlarged provision is in the Section, does it not of itself show that these powers are likely to be abused?

DEPUTY PRESIDENT: A larger remedy is given to prevent any chance of the powers being abused.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If any servant is guilty of misconduct let the whole matter be taken to a civil court. The Government will be liable.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): ശ്രീപാദം കരം എങ്ങിനെയാണ് നിശ്ചയിക്കുന്നത്? മററു കരങ്ങൾപോലെ കെട്ടെഴുത്തു തീരുമാനം അനുസരിച്ചാണോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, we are travelling far beyond the provisions of this Bill.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): ശ്രീപാദം വസ്തുക്കൾ കൌൺസിലിന്റെ പരിധിയിൽ വരുന്നുണ്ടോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Aditional Head Sirkar Vakil*): All these are beyond the scope of the discussion on this Bill.

DEPUTY PRESIDENT: It does not arise now.

MR. T. C KESAVA PILLAI (*Kalkulam cum Vilavankod*): I raise this point simply because....

DEPUTY PRESIDENT: Do you know how rent on Sreepadom lands is fixed?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): I do not know. Therefore it is that I asked the Law Member.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I may answer that point. That is a question of fact. That has been done, I believe, along with the Revenue Settlement.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): What has the Law Member to say about the urgency of this measure?

MR. KAYALAM PARAMESVARAN PILLAI (*Addtional Head Sirkar Vakil*): As I explained on a previous occasion, at present the employees of the Sreepadom Palace have to move the Tahsildar whenever tax falls into arrears and things are not as expeditiously disposed of as when the power is in the employees themselves. In fact, I have got statistics to show that the arrears have been increasing during these years. They have increased from Rs. 2000 to Rs. 7000 or so.

MR. A. THANU PILLAI (*Trivandrum*): May I know how many cases are pending with the Tahsildars?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I have not got statistics in respect of that. I have got statistics only in regard to the arrears pending.

MR. A. THANU PILLAI (*Trivandrum*): Is there any substantial case pending? It may be due to the default of the Sreepadom officers themselves.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The Sreepadom employees feel that although requisitions are made to the Tahsildars, things are not done as expeditiously as they might be done, if they themselves have the power.

DEPUTY PRESIDENT: Before placing Mr. Thanu Pillai's motion betore the House, I would just like to say a few words. A good deal of warmth seems to have been imported into the discussion of what after all is only a simple piece of legislation. The main question is whether Government should be empowered to delegate the powers already vested in them to certain private bodies like the Municipalities, Sreepadom Estates and other bodies that may come into existence hereafter. On the desirability of Government being empowerd to delegate these powers under certain circumstances, there does not seem to be any serious difference of opinion. As a matter of policy, Government may find it necessary to delegate their powers in certain cases. So far as Municipalities are concerned, it is a prefectly legitimate delegation of duty. The House has nothing to say against it. The House apparently has no objection to Government delegating powers to some other individuals also in certain cases. The objection in regard to Sreepadom is based on an apprehension that the powers are likely to be abused by those to whom the delegation is made by Government. Mr. Thanu Pillai also drew a graphic and appealing picture of the sufferings of the ryots. Well, I am not prepared to say that all of it is evolved by him out of his imagination. Some of it may be true. In Government Proverthicars' and Government Tahsildars' procedure under the Revenue Recovery Regulation, probably it may be absent. The main question for the House to consider is whether there is any urgent necessity for making the delegation. From 1068, for a period of 38 years, the necessity for the delegation has not been felt. That was Mr. Thanu Pillai's argument. What is the necessity that now compels Government to make the delegation?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): That statement is not quite correct. For some time the Manager of the Sreepadom Palace was vested with the power of the Tahsildar but in recent years that power was withdrawn.

DEPUTY PRESIDENT: Apparently, two good and intelligent men like Mr. K. P. Nilakanta Pillai and Mr. Kayalam Paramesvaran Pillai differ as to certain facts and you are placing me in an awkward fix. I prefer, without necessarily doubting the bonafides of Mr. K. P. Nilakanta Pillai, to place more reliance on the representative of the Government when he says that arrears of revenue are accumulating. It is not possible to get the authority of the Tahsildar in time to take the necessary action. There is no doubt, too, in regard to the fact that Tahsildars are worked much more heavily than they were in times past. The numerous interpellations in the Council and the work of the Assembly take up more of their time and divert their attention and activities from fields of work to which they confined all their time in times past. There is no objection to accept the statement of the Government Benches that the Tahsildar is hardworked. He is not able to find time to attend to the condition of the Sreepadom estates and therefore the Sreepadom Palace wants its officers to be invested with the

necessary powers in the hope that the finances of the Palace would be better. Accept that statement and then say whether a case of necessity has not been made out for this piece of legislation. The necessity being made out, you have to consider, whether you have to sanction the Bill that is now placed before you, whether on grounds of high public policy it ought to be passed or it ought to be thrown out. There is no use your approaching the subject solely from the point of view of the small landholders, who may be undergoing some small troubles. No system of human legislation is perfect. A piece of legislation which all sections of the House, official and non-official, may unanimously pass may be found to work serious mischief when it comes to actual working. That should not prevent us from removing what apparently is a serious difficulty in the way of the Sreepadom authorities collecting their revenue. To my mind, after listening to the speeches of the members, I find there is an attempt on the part of some non-official members to make out that the Sreepadom authorities want to get as much authority as it can now, so that in times to come they may act without let or hindrance from the Travancore Government, in regulating the internal economy of the Estates. I think there is absolutely no basis for any such apprehension. We lawyers do not start with the presumption that a man is murderer; on the other hand we start with the presumption that he is innocent. When you are confronted with this move on the part of the Government, why should you reverse the natural position? Why should you say that the Government do not take note of public opinion? Government may be guilty of 1000 acts of commission and omission. Your judgment should not be deflected by these considerations with reference to the matter before the House.

It might be that from the point of view of the small landholders, there might be some difficulty. But when the Government come to the Legislature for some little help, why should you assume the existence of imaginary difficulties on the part of an impoverished and poor set of people for whom we all have sympathy. After all, no human institution is perfect. I do not guarantee everything will be absolutely smooth. There may be difficulties felt by tenants. But you have only to see whether the Legislature has provided a machinery, sufficiently powerful to uphold the rights of the tenants if they are violated by the underlings of the Sreepadom Estates. That is the main question that a legislative body like this has to consider. It cannot go into detail and work out qualifications and other particulars of parties who may be employed by particular agencies. You can only lay down that if any man does any wrong, he shall pay for it. The right of the aggrieved party to proceed against the Government is distinctly affirmed by the Statute; the right of the individual to proceed against the particular author of the wrong is, in common law, available to you. So, while Government do not escape scrutiny at the hands of the civil court, common law gives you the right to proceed against the particular offender, for securing your interests.

[Deputy President.]

The next complaint was about the number of years it will take to get a decision from a civil court. There is Mr. Raman Pillai who, apparently, has got a large number of suits in which he does not see the end of the controversy. Well, he has my sympathy. Litigation is no doubt more protracted and costly these days. But when people become more aggressively sensitive of their rights, I suppose they have to pay for it. In good old days, when one abused another, the latter generally ignored it. Now, you think you have got vested rights and that you must assert them in a court of law. The machinery is available to you and you pay for the luxury if you avail yourself of it. It is just the same way everywhere. I appeal to you, whatever conclusions you may reach on broad considerations, do not allow these small ideas in any way to prejudice your minds in dealing with this piece of legislation. Though in the eye of the law it is a separate agency, do not forget the fact that the Ranees of Attingal entered into an agreement with the Travancore Government that the future Rulers of Travancore shall be their descendants and nobody else. They volumtarily surrendered their sovereignty over the Sreepadom Estates. When the Revenue Recovery Regulation was before the Council, as Mr. Thanu Pillai pointed out, another Mr. Thanu Pillai, whose memory, I know, all of us even now cherish with the very greatest respect was in charge of the Bill and he deleted Sreepadom from the purview of the Bill.

Why should the Government machinery be utilised for helping the Ranees of Attingal in realising their dues? That was his view, originally. But, subsequently he recognised that that view was wrong; and he agreed to include all the Attingal Estates for recovery of revenue under the provisions of the Revenue Recovery Regulation; and Sreepadom Revenue was then described as *'public revenue'* under the Revenue Recovery Regulation. Therefore, it is not for the first time in the history of Travancore that the difference between ordinary public revenue and the Reveue from the Attingal Estates is being realised. So early as in 1068, those who legislated before us were confronted with the very same difficulty that is now before us; and their solution was that, in view of the close connection between the Royal House of Travancore and the Ranees of Attingal, and in consideration of other matters of high State Policy, the revenues of the Attingal Estates should also be placed in the same category as public revenue proper. And, the very same machinery which was used for the realisation of ordinary public revenue came to be used in the case of the Attingal Estates also. In course of time, the work of the regular Revenue Department has increased tremendously; and now the authorities of the Sreepadom Palace are complaining of the inordinate delay in getting necessary relief. Therefore, they now want to exercise the powers of the ordinary Revenue Officers under the Revenue Recovery Regulation. Of course, it is open to you to vote against the provision. What I now want to point out to you is that, even if you now vest the Government with this power of conferring the powers under the Regulation on the employees of the Sreepadom Palace and on such other officers mentioned in

the explanation, you have the right to withdraw that power from Government if and when you find that public interests necessitate such withdrawal. My suggestion to you now is that you should on no account lose faith in the Government, particularly in small matters like this, since, under the present constitution, we have an irremovable executive and an irresponsible opposition. Do not misunderstand me. I include myself too in your group. We, on the non-official side, have, in one sense, no responsibility. We cannot, for instance, walk over to the Government Benches, anyone of us, and take up the reins of administration. That is the present state of affairs. A day may come when Mr. Thanu Pillai, with his views, may lead the House and remove the whole of this Bill from the Statute Book. Till that distant day comes, I want you not to lose faith in the Government. The House should trust that the Government, as a responsible body, will make adequate enquiries before investing particular individuals with the powers under the Regulation. The discussion in this House on this matter will, I suppose, be read by Government; and Government may advise the Sreepadom Palace to put in a better class of people as their employees. Government may watch this experiment now contemplated by this Bill. These are some aspects of the question which I want you to consider before you vote on the amendment. You may, of course, vote according to your judgment,

The amendment of Mr. Thanu Pillai, to add,

'but does not include the employees of the Sreepadom Palace.'

at the end of the Explanation in the Revenue Recovery Regulation Amendment Bill, was then put to vote and lost.

MR. A. THANU PILLAI (*Trivandrum*): I demand a poll.

A poll was taken and the House divided as follows:

AYES—13.

1	Mr.	A. S. Damodaran Asan	8	Mr.	K. P. Nilakanta Pillai
2	,,	T. C. Kesava Pillai	9	,,	Muruvelil Pachu Pillai
3	,,	R. Kesava Pillai	10	,,	K. G. Paramesvaran Pillai
4	,,	N. K. Krishna Pillai	11	,,	L. R. Raja Raja Varma Koil Tampuran
5	,,	V. S. Krishna Pillai	12	,,	R. Raman Pillai and
6	,,	K. Madhavan Pillai	13	,,	A. Thanu Pillai
7	,,	A. G. Menon			

NOES—23.

1	Mr.	V. Chellam Pillai	13	Mr.	R. Krishna Pillai
2	,,	D. C. Joseph	14	Rao Sahib Dr.	N. Kunjan Pillai
3	,,	D. Francis	15	,,	E. G. McAlpine
4	,,	S. Piraviperumal Pillai	16	,,	C. O. Madhavan
5	,,	P. S. Mahomed	17	,,	K. George
6	,,	K. Madhavan	18	,,	T. K. Madhavan Nayar
7	,,	Revati Nal Rama Varma Raja	19	,,	R. Nilakanta Pillai
8	,,	L. A. Lambard.	20	,,	Kayalam Paramesvaran Pillai
9	,,	L. A. Bishop	21	,,	R. Vaidyalingom Pillai
10	,,	I. C. Chacko	22	Dr.	K. Raman Tampi and
11	,,	R. Dhanukoti Pillai	23	Mr.	J. S. Westerdale
12	,,	P. Gomatinayakam Pillai			

NEUTRALS—2.

1 Mr. Ittoop Itteechan and 2 Mr. A. C. Kuriakose.

The amendment was declared lost.

DEPUTY PRESIDENT : The next amendment stands in your name, Mr. Raja Raja Varma Koil Tampuran.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*) ; എനിക്കു രണ്ടുഅമെൻറുമെൻറുകൾ ഹാജരാക്കാനുള്ളതിൽ (നം ൮ - ം) ൮-ാമത്തെ അമെൻറുമെൻറു മുമ്പെ അവതരിപ്പിച്ചാൽ കൊള്ളാമെന്നുണ്ട്, അല്ലെങ്കിൽ 'and' ൻെറ സ്ഥാനവ്യത്യാസംകൊണ്ട് അതു ബില്ലിൽ പിന്നീട് ചേർക്കാൻപാടില്ല എന്നു സാങ്കേതിക തടസ്ഥം പറഞ്ഞേക്കാനിടയുണ്ട്.

DEPUTY PRESIDENT : What is it that you want? I am told by the Secretary that your amendment was not received in time and it is, therefore, not admissible.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): ഒരുദിവസത്തെ വ്യത്യാസമുണ്ട്. എനിക്കുകിട്ടിയ ദിവസം തന്നെ ഞാൻ മറുപടി അയയ്ക്കുയും ചെയ്തു. അതു കൊണ്ട് ഈ ഭേദഗതി **അവതരിപ്പിക്കാൻ** പ്രസിഡൻറു ദയവായിട്ടു **അനുവദിക്കണം.** എക്സ്പ്ളനേഷനിൽ രണ്ടു സ്ഥലത്തു 'local authority' എന്നു പറയുന്നുണ്ട്. ആദ്യത്തെ അമെൻറുമെൻറുമൂലം അതു ഡിഫൈൻ ചെയ്യുകയാണ് ഞാൻ ചെയ്യുന്നതു്.

DEPUTY PRESIDENT : I allow you to move the amendment. Has not the expression 'local authority' been defined in the General Clauses Act?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No. Sir; but, it has been defined in the Income Tax Regulation as follows:

> 'Local authority' includes any person legally entitled to the control or management of any municipal or local fund.'

DEPUTY PRESIDENT : That definition seems to be all right.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): I am not able to hear you, Sir.

DEPUTY PRESIDENT : I want to return the compliment to you; I do not hear you either.

I suppose the definition of 'local authority' in the Income Tax Regulation will meet your requirements.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*) ; ൮-ാമത്തെ അമെൻറുമെൻറ് ആദ്യമായി അവതരിപ്പിക്കണമെന്നു ഞാൻ വിചാരിക്കുന്നു.

DEPUTY PRESIDENT : You may do so. Please explain your position. Let me try to understand you.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN: (*Changanachery* cum *Peermade*): എനിക്ക് ഇതിനെപ്പററി രണ്ടു ആർഗ്ഗമെൻറ പറയുവാനുള്ളൂ.

DEPUTY PRESIDENT: Before you proceed further, Mr. Koil-Tampuran, is it with reference to the initial recruitment of these employees of the Sripadom Palace that you want the minimum qualifications, prescribed by our Government in the matter of initial recruitment to public service, to be followed?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): The persons who are to be invested with the powers under this Regulation should have atleast the minimum qualification prescribed by the Government.

DEPUTY PRESIDENT: There are trustworthy servants in the Sripadom Palace who have served faithfully and loyally for over 15 or 20 years, but who are not even School Finals.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): ശ്രീപാദംകൊട്ടാരത്തെ ഈ റഗുലേഷൻ ബാധിക്കണമെന്നൊ ബാധിക്കണ്ടാ എന്നൊ എനിക്കഭിപ്രായമില്ല. എൻെറ സ്നേഹിതൻ മി. മഹമ്മദ് ശ്രീപാദത്തെ ഈ റഗുലേഷനിൽ നിന്നും അകററി നിത്താനാണ് അമൻറുമെൻറുസ് കൊണ്ടുവരുന്നതെന്നു പറഞ്ഞു. ഈ ബില്ലിൻെറ objects and reasons-ൻെറ ക്രുട്ടത്തിൽ ശ്രീപാദം ഉദ്യോഗസ്ഥന്മാർ എന്നുക്രുടി എഴുതി എന്നേയുള്ളുവെന്നും ഈ ബില്ലിൽ മററുപലകാൎയ്യങ്ങളുംക്രുടി ഉണ്ടെന്നും മററുമെമ്പർപറഞ്ഞു. അനാവധികാൎയ്യങ്ങൾഉള്ളതിൽ ഒന്നുമാത്രം ഉപേക്ഷിക്കേണ്ടിവന്നാൽഉപേക്ഷിക്കണം. അതല്ലാ എല്ലാത്തിനുംക്രുടി ഇതു് ഉൾപ്പെട്ടുമെങ്കിൽ എനിയ്ക്കതുകൊണ്ടും വിരോധമില്ല.

റവന്യൂറിക്കവറി റഗുലേഷൻ പ്രകാരം ചില ആളുകൾക്കോ ചിലസ്ഥാപനങ്ങൾക്കോ വിശേഷാൽ ഒരധികാരം കൊടുക്കുന്നതിനു അവൎക്കു ഉണ്ടായിരിക്കേണ്ട ക്വാളിഫിക്കേഷനെ സംബന്ധിച്ചാണ് ആദ്യം പറയുന്നതു്:—

Provided (i) every such person shall possess the minimum qualification prescribed by our Government;

അവരുടെ യോഗ്യത നിശ്ചയിക്കാനുള്ള അധികാരം ഗവണ്മെൻറിനുണ്ടായിരിക്കണം. ടി. എസ്. ആർ. അനുസരിച്ച് ചില ഉദ്യോഗസ്ഥന്മാൎക്കു ഇന്നയിന്ന യോഗ്യതഉണ്ടായിരിക്കണമെന്നു പറയുന്നതുപോലെ ശ്രീപാദം ഉദ്യോഗസ്ഥന്മാരുടെ യോഗ്യതയെപ്പററി ഒന്നും പറഞ്ഞു കാണുന്നില്ല.

DEPUTY PRESIDENT : You want the Government to prescribe here after minimum qualifications for these Sripadom employees, to such of them as are to be vested with the powers under the Regulation?

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): Yes, Sir.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): Has any qualification been prescribed by the Government?

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): എക്സാമിനേഷൻ ക്വാളിഫിക്കേഷൻ മാത്രമല്ല. മററു പലതും യോഗ്യത ഉണ്ടാകാം. ക്രിമിനൽശിക്ഷ അനുഭവിച്ചവരൊ സിവിൽ ജയിലിൽ ഇരുന്നവരൊ ഇതിലേക്കു നിയമിക്കാൻ പാടില്ല എന്നു പറയാം. പ്രജാസഭാ നിയമസഭ ഇതിലെ മെംബർമാരാകാൻ ഉള്ള യോഗ്യത മററൊരുതരത്തിൽ പ്രിസ്ക്രൈബ് ചെയ്തിട്ടുണ്ടല്ലൊ; ഇങ്ങനെ യോഗ്യതപലതാണ്.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): So far as these officers are concerned, have the Government prescribed any minimum qualification?

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): മിനിമം ക്വാളിഫിക്കേഷൻ പലതുമുണ്ട്. നിയമപരീക്ഷ പാസാകാത്ത ഒരാളെ ജഡ്ജിയാക്കുകയില്ല. അതു് ഗവണ്മെൻറു് ശരിയായി നോക്കുന്നുമുണ്ട്. ശരിയായയോഗ്യതയുള്ളവർക്കുമാത്രമേ ഈ അധികാരം കൊടുക്കുവാൻപാടൊള്ളു.

ഇതുപോലെ പബ്ലിക്ക് സർവീസിൽ പ്രവേശിക്കുന്നതിനു പല ക്വാളിഫിക്കേഷനും വച്ചിട്ടുണ്ട്. അതുപോലെയുള്ള ക്വാളിഫിക്കേഷൻ ഈ ഉദ്യോഗസ്ഥന്മാർക്കു ഉണ്ടെങ്കിൽമാത്രമേ ഈ അധികാരം കൊടുക്കാൻ പാടൊള്ളു.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ഉദ്യോഗസ്ഥന്മാരുടെ ക്വാളിഫിക്കേഷനെപ്പററി ഈ റഗുലേഷനിൽ പറഞ്ഞിട്ടുണ്ടൊ?

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): ഇല്ല. അതുകൂടി ചേർക്കണമെന്നാണ് ഞാൻ പറയുന്നതു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): മിനിമം ക്വാളിഫിക്കേഷൻ നിശ്ചയിച്ചാൽ മതിയൊ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): അല്ലാതെ മാക്സിമം ക്വാളിഫിക്കേഷൻ നിശ്ചയിക്കാൻ സാധിക്കയില്ലല്ലൊ.

DEPUTY PRESIDENT : Before you pass on to part (2) of your amendment, this is what I would suggest to you. Your point seems to be that you want minimum qualifications to be prescribed for the persons on whom these powers are to be conferred. But your amendment, as it stands, looks as if Government have already prescribed certain minimum qualifications for those who are to exercise these powers. Why not you say' ...shall possess the minimum qualification to be prescribed by our Government.'? Why not you make it clear?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ഇപ്പോഠം പ്രിസ്ക്രൈബ്ചെയ്യിട്ടില്ലാത്തതുകൊണ്ടു് ഇനി മേൽ പ്രിസ്ക്രൈബ് ചെയ്യുന്നതു എന്നുകൂടി ചേൎക്കുന്നതുകൊണ്ടു് വിരോധമില്ല.

DEPUTY PRESIDENT : The choice is left to you; I am indifferent.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*) : അതു വേണമെന്നു നിൎബന്ധമില്ല. ടി. എസ്. ആർ-ൽ ഇല്ലെങ്കിൽ ഗവൺമെൻറു പ്രിസ്ക്രൈബ്ചെയ്താൽമതി. അതു് ടി. എസ്. ആർ-ൽ പ്രിസ്ക്രൈബ് ചെയ്തിട്ടുള്ളതിനു കറസ്പാണ്ടിങ്ങായിരിക്കണം. അതിലേക്കുള്ള അധികാരം ഗവൺമെൻറിനു ഈ ബില്ലിനാൽ നൽകുകയാണു് ചെയ്യുന്നതു്.

DEPUTY PRESIDENT : 'Every such person shall possess the minimum qualification that may be prescribed by our Government.'

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery cum Peermade*): '......... minimum qualification to be prescribed by our Government.' എന്നായാൽ മതി.

MR. K. GEORGE (*Chief Secretary to Government*): Does the member realise that the amendment that he now contemplates would affect the Municipal Presidents also?

MR. REVATINAL RAMA VARMA RAJA (*Edavagai*) : എനിക്കു കുറെ പറയാനുണ്ടു്.

DEPUTY PRESIDENT : Does anybody second the amendment?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*) : ഞാൻ മൂവ്ചെയ്തിട്ടുവേണ്ടെ സെക്കൻറുചെയ്യാൻ.

DEPUTY PRESIDENT : ഇതു് നിങ്ങഠം പ്രസ്ചെയ്യുന്നുണ്ടോ?

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery cum Peermade*): ഞാൻ മൂവ്ചെയ്യുന്നുണ്ടു്. ഈ ഉദ്യോഗസ്ഥന്മാരുടെ യോഗ്യത 'To be prescribed by our Government.' എന്നാക്കണം.

DEPUTY PRESIDENT : Who seconds the amendment?

MR. MURUVELIL PACHU PILLAI (*Shertallai*) : I second it.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I suggest to you, Sir, that all these amendments may be allowed to be moved together?

[Mr. K. P. Nilakanta Pillai.]

All of them relate to the same matter, namely, the rights to be exercised, the punishments to be awarded, the control to be exercised by Government, the qualification to be prescribed by Government, and so on. So all these things go together.

DEPUTY PRESIDENT: Mr. Nilakanta Pillai, I stick to my discretion. There are some parts of the amendment which everyone will oppose; there are some others which everyone may accept.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): I oppose the amendment. ഞാൻ അമൻറുമെൻറിനെ എതിൎക്കുന്നു. ഇതിലേക്കുള്ള കാരണം മി. എൽ. ആർ. രാജരാജവൎമ്മ കൊണ്ടുവന്നിട്ടുള്ള അമൻറുമെൻറു പാസാകുന്നപക്ഷം ഇപ്പോൾ മുനിസിപ്പൽ പ്രസിഡൻറന്മാൎക്കു കൊടുത്തിരിക്കുന്ന പേഷ്കാരന്മാരുടെ അധികാരംഎടുക്കേണ്ടതായിവരും. മുനിസിപ്പൽ റഗുലേഷനിൽ അവൎക്കുള്ള ക്വാളിഫിക്കേഷൻ ഇന്നതെന്നു തീൎച്ചപ്പെടുത്തിയിട്ടില്ല. പലരും യൂനിവേർസിററി ഡിഗ്രിയില്ലാത്തവരാണ്. ഈഅമൻറുമെൻറു റവന്യൂ റിക്കവെറിറഗുലേഷനിൽവന്നാൽ മുനിസിപ്പൽ റഗുലേഷൻ റിപ്പീൽ ചെയ്യേണ്ടതായിവരും. അങ്ങിനെ വരുമ്പോൾ ജനങ്ങൾക്കു ഇപ്പോൾ പൊതുവേ സിദ്ധിച്ചിരിക്കുന്ന ഒരു അവകാശം എടുത്തു കളയുന്നതായി വന്നേക്കാനിടയുണ്ട്.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): 'Every officer of Municipality' എന്നു ഈ അമൻറുമെൻറിൽ നിന്നും വരുന്നില്ല. മുൻസിപ്പൽ ആഫീസേർസിനെ ഇതു ബന്ധിക്കുന്നില്ല. അവരെ ഉൾപ്പെടുത്തണമെന്നു ഞാൻ ഉദ്ദേശിക്കുന്നില്ല.

DEPUTY PRESIDENT: അങ്ങിനെ ഉദ്ദേശിക്കുന്നുണ്ടെങ്കിൽ അതു ശ്രീപാദം ഉൾപ്പെടുത്തിനു മാത്രം മതിയാകുമോ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ലോക്കൽബാഡിയിൽ ഏതെല്ലാം ഉൾപ്പെടാതെ വരുമോ അവയെ എന്നുദ്ദേശിച്ചാണ് ഇങ്ങിനെ പറഞ്ഞിട്ടുള്ളതു്.

MR. K. GEORGE (*Chief Secretary to Government*): The third part of the amendment will, in any event, affect the Municipal Presidents also.

DEPUTY PRESIDENT: Yes. In this very small piece of legislation, Mr. Koil Tampuran you have dragged in the entire Civil Service Regulation and Rules, the principle of appointment, promotion, leave, suspension, and all other matters. Why not simply say 'Our Government is competent to frame rules with regard to recruitment, promotion, punishment.........'?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): എല്ലാ പ്രത്യേക സ്ഥാപനങ്ങളേയും പ്രത്യേകം ചേൎത്തി

ല്ലെങ്കിൽ ചില ഉദ്യോഗസ്ഥന്മാരെ വിട്ടുപോയേക്കാമെന്നു വിചാരിച്ചാണ് ഇപ്രകാരം പറഞ്ഞതു്.

DEPUTY PRESIDENT; You oppose it, Mr. Paramesvaran Pillai?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Looking at the explanation given by Mr. Raja Raja Varma, apparently, he wants only the employees of the Sripadom Palace to be affected. It is very inappropriate that Government should step in and meddle with the qualifications of the people employed by Sripadom Palace. Apart from the qualifications, either high or low, Government have the discretion to confer and they will confer only on suitable men. The Government have to and will exercise judgment in every case. The qualification will not be a decisive test, because, a man may have sufficient qualifications and yet he may not be suitable to take the powers. So that it is better that discretion is vested in Government to decide the suitability of the man to receive the powers in each and every individual case.

DEPUTY PRESIDENT: Especially when no statutory condition is insisted on in the case of all the other appointments.

MR. A. THANU PILLAI (*Trivandrum*): They need not interfere at all, is our request. Why should they interfere?

Sir, it is a very large order indeed and something really surprising.

DEPUTY PRESIDENT; Have you laid down statutory qualifications for recruitment to the public service generally?

MR. A. THANU PILLAI (*Trivandrum*): In this case, Government can, by rules, lay down qualifications when the persons are under their control.

DEPUTY PRESIDENT: The fixing of the qualifications is in the discretion of the Government. Why not you leave it to the Government?

MR. A. THANU PILLAI (*Trivandrum*): Government can say that on such and such persons only they will confer these powers. A person who satisfies that description, a person who satisfies that condition, can be invested with this power by Government. My friend the learned Law Member would not allow us even this power.

DEPUTY PRESIDENT: I appreciate the difficulty.

MR. A. THANU PILLAI (*Trivandrum*): Every Officer of the Municipality is excepted. Let us read the explanation itself with this proviso. I shall read it.

DEPUTY PRESIDENT: Let us deal with this particular clause. It is a matter of procedure that you should confine yourself to this alone.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): Sir, I suggest that the consideration of the Bill may be postponed.

DEPUTY PRESIDENT: Sit down, please. You can leave it to me.

MR. A. THANU PILLAI (*Trivandrum*): I will read it. The explanation is as follows :—

"The expression 'Officer' includes for the purposes of this Section every Officer of our Government and every officer of a Municipality or of any other local authority but not any employee of the Sreepadom Palace".

I would also add 'provided every such person shall possess the minimum qualifications prescribed by our Government.'

DEPUTY PRESIDENT: For such office.

MR. A. THANU PILLAI (*Trivandrum*): 'For being invested with such powers'. That is how I understand it. There is absolutely no difficulty. It does not apply to any officer of any Municipality. It only applies to the person employed in the collection of public revenue or the dues of any local authority. I have to say a word with regard to the proviso of Mr. Koil Tampuran. Having cleared the ground in regard to the proviso, I come to the objection taken by the Law Member. He says, Sir, that the Government should not be called upon to interfere with the management of the Sreepadom affairs.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Not quite like that.

MR. A. THANU PILLAI (*Trivandrum*): That is how I have understood him. I have only put it more generally Government should not lay down rules as to who should be appointed and who should not be appointed for service in the Sreepadom. I do not want the Government to lay down any rules as to who should be appointed as employee in the Sreepadom. But we want to lay down rules as to who will deal out these powers when they have to work in the Sreepadom. That is all we want. I fail to see how the learned Law Member can justify his statement. He says that we should not interfere with the management of the Sreepadom authorities. We are not asking Government to do anything like that. My friend wanted us to allow Government to interfere with the affairs of the Sreepadom. But when it comes to a question of safeguarding of the citizens he says 'No you should not ask Government to do it.' I submit that is quite understandable. We do not want the House to prescribe rules.

DEPUTY PRESIDENT: Do I understand you to suggest that such persons shall possess the minimum qualification that may be prescribed by the Government?

MR. A. THANU PILLAI (*Trivandrum*): For being invested with such powers, that is an auxiliary provision enabling Government to lay down rules. I think that there is a provision in the Regulation itself enabling Government to make rules that may be applicable to themselves as well or if that is not enough we shall put in. Now in regard to the argument of the Law Member, I submit, at least this guarantee there must be. These powers should be given only to those who may be trusted.

DEPUTY PRESIDENT: You have not got any amendment like that before the House.

MR. A. THANU PILLAI (*Trivandrum*): I am confining my remarks to the amendment of Mr. Raja Raja Varma Koil Tampuran in regard to the necessity tor rules prescribing qualifications. All that I say is with respect to that.

DEPUTY PRESIDENT: Every such person shall possess the minimum qualification to be prescribed by our Government.

MR. A. THANU PILLAI (*Trivandrum*): For exercising these powers.

DEPUTY PRESIDENT; That is an amendment you propose.

MR. A. THANU PILLAI (*Trivandrum*): That is intended to make the sense of the mover clearer.

DEPUTY PRESIDENT: At present, I am only dealing with the drafting portion. The amendment before the House is 'Every such person shall possess the minimum qualifications that may be prescribed by our Government in this behalf.' In that form I will put it to the vote. Mr. Raja Raja Varma, are you agreeable to the amendment being altered in the form I have given?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): Yes.

MR. A. THANU PILLAI (*Trivandrum*): I wish to say one word. Even at the time the Bill was introduced, even those who strongly supported the Bill were clearly and emphatically of opinion, and I may refer even to the speech of Rao Bhadur K. A. Krishna Aiyangar....

DEPUTY PRESIDENT: I rule you out of order.

MR. A. THANU PILLAI (*Trivandrum*): I merely refer you to some speeches that are in my mind. I have got the speech with me.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Are we not entitled to quote from a speech made by a member of this House?

DEPUTY PRESIDENT; If you want to contradict it you may do it.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Even to refer?

DEPUTY PRESIDENT: Why? Only if he is dead, need you refer to his speech. He is still alive. If I make a statement now which is inconsistent with a statement I made on an earlier occasion in connection with this controversy it is only fair to me that you should refer to my speech.

MR. A. THANU PILLAI (*Trivandrum*): Those members who supported the principles of the Bill were also of the opinion that these officers should have certain qualifications. It is only persons who have the minimum qualifications that should be entrusted with these powers, and it is only that that is sought to be introduced by my friend by this amendment. The anxiety of the learned Law Member clearly shows how reasonable we were and how justifiable was the position of those who objected.

DEPUTY PRESIDENT: You are not in order in questioning a judgment reached by the House already.

MR. A. THANU PILLAI (*Trivandrum*): That shows the extreme anxiety to see the safeguard is given. We do not want Government to interfere with the affairs of the Sreepadom. If they want the help of the Government, and if the Government want the help of the House,

[Mr. A. Thanu Pillai.]

we have every right to say that that help will be given only on certain conditions. So I strongly support the amendment.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): It is already 5.25, we can adjourn.

DEPUTY PRESIDENT: I shall continue for another half an hour. Is there anything to prevent my discretion to extend it till 6 o' clock?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): No. But this side is depleted of the non-official members.

DEPUTY PRESIDENT: That is alright. I propose to go on till 6 of clock and finish this Bill if possible.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): We, members on this side of the House, were unable to digest the paradox. The learned Law Member was observing that when the officers contemplated under this Amending Bill were to be invested with certain powers, Government would exercise their discretion to the best advantage and to the public good; but when this amendment, which is intended to secure that interest, is moved, the Law Member turns round and objects to the amendment on the ground that the powers of the Sreepadom authorities should not be interfered with.

Government concede that they can interfere to a certain extent when the officers are entrusted with the powers. If that is so, I ask why should they not go a step further and make the position of the public safe from the point of view of the public? The amendment contemplates certain conditions for the appointment of persons in the Sreepadom Palace *viz.*, that they should possess certain minimum qualifications which the Government may hereafter lay down, if they have not already laid down. My modest proposal is that when the Government are prepared to give as much power as they want to Sreepadom Palace employees for the speedy realisation of their arrears, it would go a great way in relieving the sufferings of the people, if they also imposed certain conditions in regard to their minimum qualifications. This power is invested with officers who are not as much responsible as we expect them to be.

MR. A. THANU PILLAI (*Trivandrum*): Without interrupting my friend, may I bring to the notice of the Chair that it is already 5-30?

DEPUTY PRESIDENT: That question was raised before and I have already answered it. I propose to continue till we finish, however late it be.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): This proposal does not propose to lay down exhaustively what should be the minimum qualifications for these officers of the Sreepadom Palace. There also, I believe, we are modest and we leave everything to the good sense of the Government to formulate such rules which they may deem fit under the circumstances of the case. I will explain the position by taking an illustration. Suppose a Proverthicar is asked to attach and sell a portion of an immovable property for arrears. Naturally, the Proverthicar must possess a knowledge of survey. Without knowing anything about

survey he cannot be expected to divide a portion of the immovable property so that that portion of the property alone may be sold for the realisation of the arrears already accrued. Therefore, before a Proverthicar can be entrusted with these powers, naturally, we want that he should possess that knowledge which a Proverthicar in Government service possesses—a rudimentary knowledge of survey and other things. It is with that view that the amendment is proposed and I appeal to the Government that at least some rules may be framed about the qualifications of these officers. Again, I submit that it is a modest proposal and that it should not be objected to by the Law Member. I support the amendment.

DEPUTY PRESIDENT: Mr. Paramesvaran Pillai, do you accept the amendment as it appears on the notice *viz.*, 'Every such person shall possess the minimum qualification prescribed by our Government'.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not accept it.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): എനിക്ക മറുപടിയായി ഒന്നും പറയാനില്ല. ഞാൻ ഈ അമൻറുമെൻറിനെ പ്രസ്സ് ചെയ്യുന്നു.

The amendment was then put to the vote of the House and lost, 8 voting for and 16 against.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): I demand a poll in order to show that we on this side of the House are only a handful.

A poll was then taken with the following result:

AYES. 8.

1. Mr. A. S. Damodaran Asan
2. „ A. G. Menon
3. „ R. Kesava Pillai
4. „ V. S. Krishna Pillai
5. „ K. P. Nilakanta Pillai
6. Mr. Muruvelil Pachu Pillai
7. „ L. R. Raja Raja Varma Koil Tampuran
8. A. Thanu Pillai

NOES. 16.

1. Mr. D. Francis
2. „ K. Madhavan
3. „ P. S. Mahomed
4. „ L. A. Bishop
5. „ I. C. Chacko
6. „ R. Dhanukoti Pillai
7. „ K. George
8. „ P. Gomatinayakam Pillai
9. Rao Sahib Dr. N. Kunjan Pillai
10. Mr. C. O. Madhavan
11. „ E. G. McAlpine
12. „ R. Nilakanta Pillai
13. „ Kayalam Paramesvaran Pillai
14. Dr. K. Raman Tampi
15. Mr. R. Vaidyalingom Pillai
16. „ J. S. Westerdale

NEUTRAL. 1.

Mr. A. C. Kuriakose

The amendment was declared lost, 8 voting for, 16 against and one remaining neutral.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): Sir, I beg to move the second part of my amendment which is 'Every such person shall be entitled to enjoy such rights, privileges and security of service as provided in the T. S. R., so far as it may be applicable".

ശരിയായ ജോലി നടത്തണമെന്നുണ്ടെങ്കിൽ കൺടെൻററഡ് സർവ്വീസ് ആണെങ്കിലെ സാധിക്കുകയുള്ളു. ഉദ്യോഗസ്ഥന്മാക്കു ശരിയായശമ്പളവുംമററും ഉണ്ടായിരിക്കണം. ഒരാൾക്കു തോന്നുമ്പോൾ ഡിസ്മിസ് ചെയ്കയും തോന്നുമ്പോൾ നിയമിക്കയും ചെയ്യാമായിരിക്കരുതു്. അങ്ങിനെയായാൽ നിശ്ചയമായും ശരിയായജോലി ചെയ്കയില്ല. തന്നിമിത്തം അവർ പലദുഷ്പ്രേരണകൾക്കും വശംവദരാകുന്നതാണ്. അതുകൊണ്ടാണ് കൺടെൻററഡ്സവീസ് വേണമെന്നും മററുദ്യോഗസ്ഥന്മാക്കുള്ള സകല അവകാശങ്ങളും ശ്രീപാദം മുതലായ സ്ഥാനങ്ങളിലെ ഉദ്യോഗസ്ഥന്മാക്കും ഉണ്ടായിരിക്കണമെന്നും പറയുന്നതു്.

ഇതിൽക്കൂടുതലായി ഒന്നും ഈ അമൻറുമെൻറിനെ മൂവ് ചെയ്യുന്നതിൽ എനിക്കുപറയാനില്ല. ഇതിൻെറ ന്യായാന്യായങ്ങളെ നോക്കി ഇതിനുവേണ്ടി വോട്ടു ചെയ്യണമെന്നപേക്ഷിക്കുന്നു.

MR. A. G. MENON (*Parur*): I second the amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I oppose the amendment. I have already stated my views generally and they will apply to this amendment also.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): I support the amendment. This amendment would indicate with what amount of fairness we on this side of the House are dealing with the question. First of all, we were contending for the postion that the employees of the Sreepadom Palace should not be invested with powers unless a proper control is exercised. Now, we moved the second amendment that all employees of the Palace should possess certain minimum qualifications. And then there is the third amendment. Our position is that justice must be done not only to the employees of the Sreepadom Palace, not only to the authorities of the Palace, but also to the tenants of Sreepadom.

DEPUTY PRESIDENT: That is not the question with which we are dealing now. Security of service has nothing to do with security of tenure.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): At first, as I said, we wanted that certain minimum qualifications must be fixed in the case of the employees of the Sreepadom Palace.

DEPUTY PRESIDENT: This House threw it out.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Next, we wanted to give them such privileges as are enjoyed by the Proverthikars working

under the Government. The Proverthikars under the Government are impelled to do things in a fair and honest way, because they have some security of service and further, when they retire they also get pension, in spite of whims and fancies of the superior officers, provided of course the officers' career has been satisfactory, honest and without blemish. Under the present circumstances such a privilege is not given to the Proverthikar to be appointed under the Sreepadom Palace. Our proposal is that when persons are to be invested with such powers, properly qualified persons ought to be appointed. And when properly qualified persons are appointed as an impetus to them, they must, in the interests of proficiency and of service, be compensated at the end of their service. The object is a very laudable one. Of course, everybody must agree that there must be safeguards against officers of the Sreepadom Palace harassing their subordinates, if they do not act according to their illegal wishes. It is with this object that the amendment has been tabled before the House and I hope the members on this side of the House will appreciate the object behind the amendment and support it.

DEPUTY PRESIDENT: Have you anything fresh to add, Mr. Koil Tampuran?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN: (*Changanachery cum Peermade*): No, Sir.

MR. MURUVELIL PACHU PILLAI (*Shertallai*): എനിക്കു ഈ അമൻറുമെൻറിനെ സപ്പോർട്ടചെയ്യുവാൻ നിവൃത്തിയില്ല. ഞാൻ ഇതിനെ അനുകൂലിക്കുന്നില്ല. ശ്രീപാദം ജോലിയായി നിയമിക്കപ്പെടുന്ന ആളുകൾക്കു ഉണ്ടായിരിക്കേണ്ട മിനിമം ക്വാളിഫിക്കേഷൻ ഇന്നതെന്നു പ്രിസ്ക്രൈബ് ചെയ്യണമെന്നാണ് ഒന്നാമത്തെ അമെൻറുമെൻറു. ഒരുവിധത്തിൽ യോഗ്യതയായും സാമർത്ഥ്യമായും ജോലിചെയ്യുമെന്നു ബോദ്ധ്യമുള്ള ആളുകളെ നിയമിക്കുന്നതിനു വേണ്ടി അവർക്കുള്ള യോഗ്യത ഗവണ്മെൻറു നിശ്ചയിക്കുന്ന പ്രകാരമായിരിക്കണമെന്നാണ് അമൻറുമെൻറു കൊണ്ടു വന്നതു്. അതിനെ അക്സപ്റ്റ് ചെയ്തില്ല. രണ്ടാമത്തെ അമൻറുമെൻറു കൊണ്ടു വന്നിരിക്കുന്നതു് ആ തരത്തിൽ യോഗ്യന്മാരായ ആളുകളെ കിട്ടണമെങ്കിൽ അവർക്കു വേണ്ട വിധത്തിലുള്ള രക്ഷ ഉണ്ടായിരിക്കണമെന്നു് ഉദ്ദേശിച്ചാണ്. ശ്രീപാദം ഉദ്യോഗസ്ഥന്മാരായിട്ടു ആരേയും നിയമിക്കാമെന്നു വന്നിരിക്കുന്നതിനാൽ ഈ രണ്ടാമത്തെ അമൻറുമെൻറിൻെറ ആവശ്യം ഇല്ലാതെ വരുന്നു.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): പരീക്ഷായോഗ്യത ഇല്ലാത്തവരാണെങ്കിലും സ്ഥിരമായ നിയമനമാണെന്നും അവരെ പെട്ടെന്നു പറഞ്ഞയക്കുകയില്ലെന്നും ഉള്ളതുകൊണ്ടു ഈ അമൻറുമെൻറു പ്രകാരമായിരുന്നാൽ അവർ കുറെക്കൂടി യോഗ്യന്മാരായി പെരുമാറുകയില്ലേ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*) : സബ്ബുംകൂടി യോഗ്യന്മാരായും പെരുമാറുമായിരിക്കാം. എങ്കിലും ശ്രീപാദം ഈ ജോലിക്കാരെയും നിയമിക്കാമെന്നുള്ളതു കൊണ്ടു രണ്ടാമത്തെ അമെൻറുമെൻറു ആവശ്യമില്ല. അതുകൊണ്ടു ഈ അമെൻറുമെൻറിനെ ഞാൻ എതിർക്കുന്നു.

MR. A. THANU PILLAI (*Trivandrum*) : I also support the amendment. This amendment certainly ensures security of service to the persons who are to be invested with the powers under the Regulation. It also gives them the rights and privileges which the Government servants enjoy under the Service Regulation and Rules.

The amendment was objected to on the ground that because the attempt to put in a provision laying down the qualifications for these officers who are to be vested with these powers had failed, there was no good in having the provision contained in the present amendment.

MR. MURUVELIL PACHU PILLAI (*Shertallai*) : May I point out, Sir, that we have only fifteen minutes more to six.

DEPUTY PRESIDENT : I wish to see this Bill finished before we rise to-day.

MR. A. THANU PILLAI (*Trivandrum*) : These are important amendments and may take some time.

DEPUTY PRESIDENT : Personally I do not mind waiting.

MR. A. THANU PILLAI (*Trivandrum*) : It is very nearly six o'clock. This side of the House is practically empty. Many of the members have gone home since it was late. It is not fair, Sir, that this important measure is rushed through the Council under such circumstances.

DEPUTY PRESIDENT : Mr. Thanu Pillai, if, instead of levelling such criticism, you would proceed with the merits of the amendment you were speaking about, we could surely get time to consider the several amendments to the Bill, and to finish it to-day itself. I do not propose to curtail, in any way, your rights of speech or debate because it is late.

You may go on, Mr. Thanu Pillai.

MR. A. THANU PILLAI (*Trivandrum*): An argument was advanced against the present amendment that, because a former amendment, which intended to provide for minimum qualification for those officers who are to exercise the powers under the Regulation, had been thrown out by the House, there was no use in providing for security of service and other rights and privileges of Government service for these officers who are to exercise the powers under this Regulation. That position cannot be accepted; because, even though a man may not have the qualification prescribed by Government he will surely have a sense of responsibility and sense of duty if he is assured valuable rights and privileges in the event of good service. For instance, eligibility for leave, right to get a decent pension after a prescribed period of service,

a regular scale of pay, security of service, these are sure to attract good men and to make them feel that their posts are covetable and that they should therefore try their level best to keep them unblemished.

If the tendency to be irresponsible is largely reduced, that will safeguard against his conduct. He will try to do his work efficiently and promptly. This, I remember, was one of the suggestions made even while the Bill was first introduced and discussed and that was the security of service, whether they are Sreepadom employees or local authorities. Security of service when assured would conduce to the better discharge of duties, and there will be less scope for abuse of powers. It is a good idea that this amendment has been brought forward and I do not see any reason why the Law Member should object to it. When we ask Government to interfere in the illegal conduct of the Sripadom Palace employees, why should the Law Member raise a strong objection, I am not able to understand.

That is the only objection that he has taken to this. All that he has to say in regard to this is what he has said in regard to the first proviso. That position has to be challenged with all emphasis. I may be permitted to read it. If the Sreepadom or other local bodies want the help of the Government in a very advantageous way for collecting their dues one cannot see why such help cannot be given only on reasonable conditions. Anybody can say that the officers who should be entrusted with these powers should be made to discharge these functions properly. There must be at least that guarantee. So in the Law Member's objection--for this is no objection whatsoever -- there is no iota of reason or argument. So, this ought to find a place in the amending Regulation. With these words, I also support the amendment.

Sir, the Government members should be in a much better position than the members on this side of the House to speak with authority on the advisability of introducing this proviso. They should be in a better position to tell us how security of service and the rights and privileges accorded to service, influence their employees in the discharge of their duties, how a permanent clerk of the Secretariat or a permanent officer in any other department discharges his work in comparison to a temporary clerk or a person who is entertained after retirement. So, I thought that this should appeal with greater force to Government benches than to this side of the House, but unfortunately I find my hope is not very well-founded. At the same time I would also like the Government members to give us reasons, if they have any, why they differ from us, in the view we take, that is to say, that security of service and the rights and privileges attaching to service will not be conducive to the better discharge of duties. If the Government take that view I do not know why they take a view that is not taken ordinarily by people in these matters. Unfortunately they have no reason to give. They merely say that there should be no interference with the affairs of the Sreepadom. That is blowing hot and cold at the same breath. With these words, I support the amendment.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : I rise to a point of order. According to Rule 23 the presence of at least 15 members is necessary. We are only 13 non-officials here. We cannot work without at least fifteen members.

DEPUTY PRESIDENT : I overrule you. Members means officials and non-officials.

T.O.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ഒരു രാജാവിന്റെ അധികാരങ്ങളെ കൊടുക്കുന്നതു് അതിനു തക്കയോഗ്യതയുള്ള ഒരു മഹാത്മാവിനു മാത്രമാണു്. അതു പോലെ ഈ അധികാരങ്ങളെ കൊടുക്കുന്നതു് അതുവഹിക്കാൻയോഗ്യതയുള്ള ആളുകൾക്കുതന്നെവേണം. ശ്രീപാദം പാലസിനു് ഒരു ഉയൎന്ന സ്ഥാനം കല്പിച്ചു കൊടുക്കുന്നതിൽ ആക്ഷേപമില്ലല്ലൊ.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*) : അങ്ങിനെ ചെയ്യുന്നതിനു ഗവൺമെന്റിനു തക്ക വിവേചനാശക്തി ഉണ്ടെന്നാണൊ, അതല്ല. ഇല്ലെന്നാണൊ മെമ്പർ പറയുന്നതു്?

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*) : ഗവർമ്മെന്റിനുതന്നെ ഇതിൽവേണ്ട വിവേചനാശക്തി ഉപയോഗിക്കാമായിരുന്നു. മററു സ്ഥലങ്ങളിൽ എങ്ങിനെ ചെയ്യുന്നുവൊ അതനുസരിച്ചു് ഇവിടെയും ചെയ്യണം.

MR. A. THANU PILLAI (*Trivandrum*) : ഗവർമ്മെന്റിന്റെ വിവേചനാശക്തി എല്ലാപ്പോഴും ആക്ഷേപാർഹമാണോ?

DEPUTY PRESIDENT: ഈ ചോദ്യം മിസ്റ്റർ കുര്യാക്കോസിനോടാണോ ചോദിക്കുന്നതു് ?

MR. A. THANU PILLAI (*Trivandrum*) : അല്ല.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): അതുകൊണ്ടു് ശ്രീപാദം പാലസിലെ ഉദ്യോഗസ്ഥന്മാരെ ഗവൺമെൻറുദ്യോഗസ്ഥന്മാൎക്കു തുല്യമായ അവസ്ഥയിൽ വച്ചു് പോററിവന്നാൽ എല്ലാവൎക്കും പെൻഷനും സർവീസും മററും കിട്ടാൻ സാധിക്കുന്നതാണു്. അതുകൊണ്ടാണു് ശ്രീപാദം ഉദ്യോഗസ്ഥന്മാൎക്കു നിശ്ചിതമായ ക്വാളിഫിക്കേഷൻ വേണമെന്നു് ആദ്യം പറഞ്ഞതു്. ആ ഉദ്ദേശത്തോടുകൂടിയാണു് അമൻറ്മെൻറ് കൊണ്ടുവന്നിട്ടുള്ളതു്. അതുപോലെ സെക്യൂറിട്ടി ഓഫ് സർവീസ്, സ്ഥാനക്കയററം, ശമ്പളക്കൂടുതൽ, ഇവ യോഗ്യന്മാരായ ആളുകൾക്കു് കൊടുത്തില്ലെങ്കിൽ നല്ല ആളുകളും ചീത്തയാകാം. അതുകൊണ്ടു് ഈ അമൻറുമെൻറ് ആവ

ശ്യമായിട്ടുള്ളതാണ്. ശമ്പളം, പെൻഷൻ, സെക്യൂറിട്ടി ഓഫ് സർവീസു മുതലായ സംഗതികളിൽ——

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): അവക്ക് ബോണസ് കൊടുത്താൽ മതിയൊ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ആ വാക്കിൻെറ അത്ഥം അറിയാൻ വയ്യാതെ പലതും അതിനെപ്പററി നിർദ്ദേശിച്ചിട്ടുണ്ട്. അതു് പലടത്തും ഇന്നും ആലോചനയിൽഇരിക്കുന്നതേ ഉള്ളു. പെൻഷൻ എന്നുള്ളവാക്ക ഉപയോഗിച്ചു എന്നേയുള്ളു. റയിൽവെഡിപ്പാർട്ടുമെൻറിലുംമററും കൊടുക്കുന്നതുപോലെ പ്രാവിഡൻറ്ഫണ്ടു കൊടുത്താലുംമതി. ആകെക്കിലും ഏതെങ്കിലും ഒരു ജോലി കൊടുക്കുന്ന പക്ഷം അവർ ആ ജോലിയെ ശരിയായി നിവ്വഹിച്ചുകൊണ്ടു പോകുന്നതിനു് വേണ്ട പ്രോത്സാഹനങ്ങൾകൂടി ഉണ്ടാക്കികൊടുക്കണം, അല്ലാത്തപക്ഷം ദുർമ്മാർഗ്ഗങ്ങളിൽ പ്രവേശിക്കുന്നതിനു് അവർ പ്രേരിതരാകും. അതിനു ഇടവരുത്തരുതെന്നുദ്ദേശിച്ചാണ് ഈ രണ്ടാമത്തെ ക്ലാസ് ഇൻട്രഡ്യൂസ് ചെയ്തിട്ടുള്ളതു്.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ശ്രീപാദം വക സ്വത്തുക്കൾ അന്യായമായി നശിപ്പിക്കരുതു്, അതിനു് വേണ്ടി നല്ല ഉദ്യോഗസ്ഥന്മാരെ നിയമിക്കണമെന്നാണൊ മെമ്പർ പറയുന്നതു് ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): അങ്ങിനെയും ഞാൻ ഉദ്ദേശിക്കുന്നുണ്ടു്. ശ്രീപാദം വക ഉദ്യോഗസ്ഥന്മാരായി നല്ല ആളുകളെ ആക്കരുതെന്നു് നിശ്ചയമായും ഉദ്ദേശമില്ല. നല്ല ആളുകളെത്തന്നെ എല്ലാ സ്ഥലത്തും നിയമിക്കണം. മിസ്റ്റർ കുര്യാക്കോസും ആ വിധത്തിൽ അല്ലാതെ പറയുകയില്ല. ആകെക്കിലും ഗവണ്മെൻറിൽ നിന്നും തുല്യഅധികാരം കൊടുക്കുമ്പോൾ മററു ഗവണ്മെൻറു ജോലി ചെയ്യുന്നആളുകളെപ്പോലെ തൃപ്തിയോടുകൂടി ജോലിചെയ്യാൻ അവക്ക് സാധിച്ചില്ലെങ്കിൽ അതു നിമിത്തം പല ന്യൂനതകളും വരും. തുച്ഛമായ ശമ്പളം മേടിക്കുന്ന ചില്ലറ ഉദ്യോഗസ്ഥന്മാരുടെ ഇടയ്ക്കാണു പ്രായേണ കൈക്കൂലി അധികമായി കണ്ടുവരാറുള്ളതു്. വലിയ ഉദ്യോഗസ്ഥന്മാരുടെയിടയിൽ അത്രത്തോളം നടക്കുന്നതായി ഞാൻ അറിഞ്ഞിട്ടില്ല. അതുകൊണ്ടാണ്യോഗ്യന്മാരായുള്ളവരെ തക്ക ശമ്പളം കൊടുത്തു് നിയമിക്കണമെന്നു പറയുന്നതു്. യോഗ്യന്മാക്കു ശരിയായ ശമ്പളം കൊടുക്കുകയില്ലെന്നു പറഞ്ഞാൽ വേറെ എങ്ങിനെഎങ്കിലും പണംവരുത്താൻ അവർ ശ്രമിക്കും. അതുകൊണ്ടു

[Mr. L. R. Raja Raja Varma Koil Tampuran.]

സമത്ഥന്മാരെ നിയമിച്ചിട്ടു ശരിയായശമ്പളം കൊടുക്കാതെ വേറെവഴിയിൽ അവർ പണം വരുത്തിക്കൊള്ളുന്നതിനു പ്രേരണ കൊടുക്കരുതു് എന്നു വിചാരിച്ചാണു ഈ അമൻറുമെൻറു് കൊണ്ടുവന്നിട്ടുള്ളതു്. അതിനാൽ ഇതിനുവേണ്ടി എല്ലാവരും വോട്ടു ചെയ്യണമെന്നപേക്ഷിക്കുന്നു.

The amendment was put to the vote and lost, 6 voting for and the rest against.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*) : I demand a poll.

A poll was taken with the following result :

AYES—6.

1 Mr. A. S. Damodaran Asan
2 „ R. Kesava Pillai
3 „ K. P. Nilakanta Pillai
4 Mr. Muruvelil Pachu Pillai
5 „ L. R. Raja Raja Varma Koil Tampuran
6 „ A. Thanu Pillai

NOES—19.

1 Mr. D. Francis
2 „ D. C. Joseph
3 „ L. A. Lampard
4 „ P. S. Mahomed
5 „ L. A. Bishop
6 „ I. C. Chacko
7 „ R. Dhanukoti Pillai
8 „ K. George
9 „ P. Gomatinayakam Pillai
10 „ R. Krishna Pillai
11 Rao Sahib Dr. N. Kunjan Pillai
12 Mr. C. O. Madhavan
13 „ T. K. Madhavan Nayar
14 „ E. G. McAlpine
15 „ R. Nilakanta Pillai
16 „ Kayalam Paramesvaran Pillai
17 Dr. K. Raman Tampi
18 Mr. R. Vaidyalingom Pillai
19 „ J. S. Westerdale

NEUTRALS—2.

1 Mr. Ittoop Itteechan
2 Mr. A. C. Kuriakose

The amendment was declared lost, 6 voting *for*, 19 *against* and 2 remaining *neutral*.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Sir, I beg to move for the adjournment of the business of the House. We have been sitting here for the last three hours after light refreshments.

DEPUTY PRESIDENT: I will just ascertain how much more time it will take to finish the whole business. Mr. Raja Raja Varma Koil Tampuran, do you propose to move all these amendments?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): Yes, Sir.

DEPUTY PRESIDENT : I think, Mr. Paramesvaran Pillai, some of these can be disposed of quick. Others are likely to take some time.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I should not be thought to fetter your discretion. Sir, if I may be permitted to suggest, I would say that if the arguments are not repeated, we may not require much more time.

MR. A. THANU PILLAI (*Trivandrum*): I question that statement of the Law Member.

DEPUTY PRESIDENT: He is not answering you. He is replying to me and therefore you need not question him.

Mr. Paramesvaran Pillai, they have got the rare privilege of repeating their arguments in connection with every amendment. What do you say?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Under each amendment there is a principle also involved.

DEPUTY PRESIDENT: I am just upholding your cause, Mr. Nilakanta Pillai.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): But arguments need not be repeated in connection with the same motion. And after all there is only one motion though each part is dealt with separately.

DEPUTY PRESIDENT: I do not propose to stop them, you may take it from me. If they propose to repeat the arguments with reference to each motion they are at perfect liberty to do so and I, will stop them only when the arguments are irrelevant.

MR. A. THANU PILLAI (*Trivandrum*): It may be that the official member has got only one argument. We may have more.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If it is obstruction procedure, we can move for closure.

DEPUTY PRESIDENT: Alright, you may do so. But what guarantee is there that I am going to allow it?

You cannot simply say that because one gentleman has spoken, there has been a fair and proper discussion.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not mean to suggest that. If they are going to repeat and repeat. –

DEPUTY PRESIDENT: It may be a blocking motion or it may be an ordinary motion. Or it may be that they are anxious that you should have the benefit of their views.

MR. A. THANU PILLAI (*Trivandrum*): I take strong objection to the statement of the Law Member that we are going to make blocking motions.

DEPUTY PRESIDENT: I took notice of it at once and told him that he was not justified in saying that the motions are blocking motions. It may be a blocking motion or it may show real anxiety on the part of the non-official side that the official side should know what their view of the question is.

MR. A. THANU PILLAI (*Trivandrum*): We are as well at liberty to question the motives of the Government.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Is it too much to presume that the discussion that took place to-day will have no impression at all either on the Government or on the Sreepadom authorities?

DEPUTY PRESIDENT: The only question is whether there is any reasonable prospect of finishing the whole Bill in a reasonable period. It will be two hours before the amendments are discussed and it will be cruel on my part to make you sit here till that time.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): For my part, I could not concentrate on the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If only fresh arguments are advanced, it may not take two hours.

DEPUTY PRESIDENT: I will give you half an hour's time for interval.

MR. A. THANU PILLAI (*Trivandrum*): Many of us are far from agreeable to that. There is nothing very special about this measure.

DEPUTY PRESIDENT: Nothing. My idea was that this House will be dissolved at an early date and having got so far in the progress of this particular Bill, I thought it will be something to your credit to pass this piece of legislation. But some of you seem to think that the prospects are at present unsatisfactory.

The House is now adjourned and will meet again at 11-30 A. M. tomorrow.

The House adjourned at 6-10 to meet again at 11-30 A. M. the next day.

C. O. MADHAVAN,
Secretary to the Legislative Council.

TRAVANCORE LEGISLATIVE COUNCIL

THIRD COUNCIL.

FIRST SESSION OF 1106.

(*OFFICIAL REPORT.*)

Thursday, the 16th April 1931/3rd Medam 1106.

The Council re-assembled in the Victoria Jubilee Town Hall at Eleven-thirty of the Clock, the Deputy President, Rao Bahadur K. A. Krishna Aiyangar B. A., B. L., presiding,

The following members were absent:—

1. Mrs. Elizabeth Kuruvila.
2. Mr. K. Madhavan.
3. Mr. H. B. Mahomed Rowther.

QUESTIONS AND ANSWERS.

Lady Doctor for the Lalam District Hospital.

111. **MR. A. C. KURIAKOSE** (*Minachil* cum *Devicolam*): Will the Government be pleased to state:

(*a*) the respective number of men, women and children treated in each year in the Lalam District Hospital during the three years 1103 to 1105;

(*b*) the number of women in-patients treated each year in the hospital during these three years;

(*c*) whether they have received petitions through any channel for the appointment of a lady doctor in this hospital;

(*d*) if so, whether they have given favourable replies to these petitions; and

(*e*) whether they have made any arrangements for the appointment of a lady doctor in this hospital?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (*a*) and (*b*) Statements* containing the information required by the member are laid on the table.

(*c*) Yes.

(*d*) No.

(*e*) The question of appointing a lady doctor in the hospital will be considered when more women doctors are entertained.

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* *Vide* Appendices XIII A and XIII B—page 446

G. P. T. 1983. 66. 3-12-1106.

Statement, by caste, of the clerks of the Munsiff's Court, Muvattupuzha.

112. **MR. TARIATU KUNJITOMMAN** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to lay on the table a statement, by caste, of the clerks of the various classes in the Munsiff's Court, Muvattupuzha?

MR. K. GEORGE (*Chief Secretary to Government*): The required statement * is laid on the table.

Clerks of the Munsiff's Court, Todupuzha.

113. **MR. TARIATU KUNJITOMMAN** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to state the number and names of the clerks of the Munsiff's Court, Todupuzha, who have been working there for more than three years continuously?

MR. K. GEORGE (*Chief Secretary to Government*): One clerk. His name is S. Panchanada Aiyar.

Statement, by caste, of appointments made by the Dewan Peishkars.

114. **MR. D. C. JOSEPH** (*Agastisvaram*): Will the Government be pleased to lay on the table a statement, by caste, of the appointments made by the Dewan Peishkars during the years 1104, 1105 and 1106 (till 25-3-1106)?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*); Two statements † furnishing the required particulars in respect of permanent and acting appointments are laid on the table.

Anchal Superintendent's Post.

115. **MR. D. C. JOSEPH** (*Agastisvaram*): Will the Government be pleased to state why the Anchal Superintendent's place is still (25-3-1106) left vacant?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The Anchal Superintendent's place is not left vacant. Mr. C. K. Nagan Pillai, B. A., is *sub pro tem.* Anchal Superintendent, because he retains a lien on his permanent place in the Revenue Department. Hence the Anchal Superintendent's appointment is shown as vacant in the Civil List.

Net revenue from the Agastisvaram taluk.

116. **MR. D. C. JOSEPH** (*Agastisvaram*): Will the Government be pleased to state:

(*a*) the net revenue from the Agastisvaram taluk by way of land revenue and salt duty; and

(*b*) the amount spent by them on public works in Agastisvaram?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*); (*a*) and (*b*) Government would be glad to supply the information if the member would specify the period for which the net revenue and expenditure are to be ascertained.

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* *Vide* Appendix XIV—page 446

† *Vide* Appendices XV A and XV B. pages 447 and 448.

Construction of a road along the bank of the Nelaparai channel.

117. **MR. D. C. JOSEPH** (*Agastisvaram*): Will the Government be pleased to state:

(*a*) whether they are aware of the necessity for converting the left or right bank of the Nelaparai channel into a cart road to relieve the distress of the ryots; and

(*b*) if the answer to part (*a*) is in the affirmative, what steps have been taken in the matter?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*):

(*a*) Yes.

(*b*) The subject was discussed in the District Road Board, Nagercoil, and the work will be taken up for consideration by Government in the order of urgency that may be assigned to it by the Central Board

Undergraduate Teachers who passed the B. A. Degree Examination while in service.

118. **MR. REVATI NAL RAMA VARMA RAJA** (*Edavagai*): Will the Government be pleased to state;

(*a*) the number of undergraduate teachers who have graduated while they are in service with the dates of their graduation;

(*b*) whether any of them has taken the L. T. degree;

(*c*) their present (28-3-1106) pay; and

(*d*) whether any fresh graduates have been appointed after they have become graduates?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*), (*b*) and (*c*). A statement * furnishing the information asked for is laid on the table.

(*d*) Yes.

Appointment of Tahsildars.

119. **MR. S. PIRAVIPERUMAL PILLAI** (*Commerce and Industry, South*): With reference to the statement, by caste, of the Tahsildars in the State brought up to 1st July 1929 (page 1085 of the Legislative Council Proceedings, Vol. XV) will the Government be pleased to state why no Vellala has been appointed?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): A Vellala has been appointed Ag. Tahsildar, from 1-12-1105, when his turn for promotion came.

Waiting sheds in Sub-Registrars' offices.

120. **MR. S. PIRAVIPERUMAL PILLAI** (*Commerce and Industry, South*): With reference to the answer to Question No. 103, asked at the meeting of the Council held on the 6th December 1927, (page 350 of Vol. XII of the Legislative Council Proceedings), *re* the grievance of the public on account of the want of waiting sheds in Sub-Registrars' offices, will the Government be pleased to state at what stage the question is at present (20-11-1930)?

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* *Vide* Appendix XVI-pages 449 and 450.

MR. K. GEORGE (*Chief Secretary to Government*): Waiting sheds have since been constructed for the Sub-Registry offices at Trivandrum, Krishnapuram, Aranmula, and Karunagapalli Additional. All the other offices held in Government buildings, except Nagercoil, Ambalapuzha and Shertallai, have either waiting sheds attached thereto or verandahs on which the parties can take shelter. The question of constructing waiting sheds for these three offices also is receiving attention.

Appointments in District Courts.

121. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to state:

(*a*) the number of appointments made in each District Court during the period between 1-12-1103 and 15-4-1106;

(*b*) the number of Muslims among those appointed;

(*c*) the number of Muslims who applied for appointment in each of the District Courts during the period; and

(*d*) the number of graduates who were appointed during the period?

MR. K. GEORGE (*Chief Secretary to Government*): A statement* containing the required information is laid on the table.

Appointments made by Munsiffs.

122. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to lay on the table a statement showing:

(*a*) the number of appointments made by each Munsiff during the period from 1-12-1103 to 15-4-1106 and the number of Muslims among those appointed; and

(*b*) the number of Muslims who applied for appointment during the period?

MR. K. GEORGE (*Chief Secretary to Government*): The required statement† is laid on the table.

Issue of Encumbrance Certificates by the Registration Department.

123. **MR. T. C. KESAVA PILLAI** (*Kalkulam cum Vilavankod*): With reference to the issue of encumbrance certificates in the Registration Department, will the Government be pleased to state:

(*a*) whether any change or increment has been made in payment of fees, etc. by the Director of Registration; and

(*b*) if the answer to part (*a*) is in the affirmative, whether there is any Government order empowering the Director to enforce additional payment?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) The answer is in the negative.

(*b*) In view of the answer to part (*a*), this question does not arise.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): മുമ്പ് ഒരു എൻകംബ്രൻസ് സർട്ടിഫിക്കെററു പഴയ കച്ചേരിയിൽ നിന്നും

* *Vide* Appendix XVII—page 451.

† *Vide* Appendix XVIII—page 452.

പുത്തൻകച്ചേരിയിൽ ഹാജരാക്കിയാൽ മതിയായിരുന്നു. ഇപ്പോൾ ഓരോ കച്ചേരിയിലും ൧൨ രൂപാവീതം ഫീസ് ഈടാക്കിവരുന്നതായി അറിയാമോ?

MR. K. GEORGE (*Chief Secretary to Government*): അറിഞ്ഞുകൂടാ.

MR. T. C. KESAVA PILLAI (*Ka'kulam* cum *Vilavankod*): അങ്ങനെ ഈടാക്കുന്നതു ശരിയാണെന്നു തോന്നുന്നുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): That is a matter of opinion.

DEPUTY PRESIDENT: I do not think that question arises, Mr. Kesava Pillai.

MR. K. GEORGE (*Chief Secretary to Government*): Further, the member assumes that there is that practice.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): അങ്ങനെ ഈടാക്കാൻ പാടില്ലെന്നു ഡയറക്ടർക്കു ഗവർണ്മെൻറിൽനിന്നും ഒരുത്തരവുകൊടുക്കാൻ ദയവുണ്ടാകുമോ?

MR. K. GEORGE (*Chief Secretary to Government*): അങ്ങനെ ഈടാക്കുന്നുണ്ടെന്നു വ്യക്തമാകുന്നില്ല.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): അങ്ങിനെ ഈടാക്കുന്നുണ്ടെന്നു ഞാൻ പറഞ്ഞാൽ അതിനെപ്പററി അന്വേഷണം നടത്താമോ?

MR. K. GEORGE (*Chief Secretary to Government*): അതിനെപ്പററി അന്വേഷിക്കാം.

Public Urinals for the Trivandrum town.

124. **MR. S. PIRAVIPERUMAL PILLAI** (*Commerce and Industry, South*): With reference to the answer to Question No. 266 asked at the meeting of the Council held on the 16th May 1930 (Vol. XVI of the Council Proceedings, page 675), regarding public urinals for the Trivandrum town, will the Government be pleased to state the further action taken by them in the matter?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): The attention of the Municipal Council has been drawn to the subject by Government, and the Council is now selecting the sites for the location of the additional latrines and urinals.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): May I know when the attention of the Municipal Council was drawn to that subject by the Government?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): There was a prior interpellation by Mr. D. C. Joseph in the meeting of the Council held on 16-5-1930. Soon after that the attention of the Municipality was drawn to that matter.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): May I know whether the Government received any report from the Municipal Council and whether any site has been selected so far?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): No. The Council at first wrote to say that they had asked the Health Officer to select suitable sites. Government since wrote back to them reminding them of their first report, and asked them to say whether any definite step had been actually taken; and they have, on the 30th of March last, that is, about two weeks back, reported that the Municipality has not yet disposed of the matter.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Am I therefore to understand that, during the last one year, besides correspondence, nothing else has been done?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): That is not it. The Health Officer might have selected the sites and reported to the Municipality. Only, the Municipality has not so far finally disposed of the matter.

Waiting sheds for travelling public.

125. **MR. S. PIRAVIPERUMAL PILLAI** (*Commerce and Industry, South*): Will the Government be pleased to state:

(*a*) whether their attention has been drawn to the large number of people who are exposed to the sun and rain in the public roads while waiting for buses; and

(*b*) the action taken by them to remove this inconvenience?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (*a*) The answer is in the negative.

(*b*) This does not arise in view of the answer to (*a*) above.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): With reference to the answer to part (*a*), may I know from the Government the source from which they got the information that 'the answer is in the negative'?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): A report from the Commissioner of Police.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): May I know what that report says?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*); The report gives the answer in the negative. It also states:

> "People usually take shelter under umbrellas or in the nearest tea shops or buildings; most of the motor stands are in the vicinity of shops or motor booking offices where such shelter is available."

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): So, people now take shelter under their own umbrellas or under banyan trees?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Not that. They take shelter in adjacent tea shops or in motor sheds.

Revenue auctions for arrears of tax.

126. **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*): (1) Will the Government be pleased to state the number of revenue auctions for arrears of tax in the Neyyattinkara taluk in each of the years 1103, 1104, 1105 and 1106 (till 17-4-1106)?

(2) Will they be pleased to lay on the table a list of the extent of each of the properties sold, the arrears of tax and the amount for which each of them was sold?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (1) A statement* containing the required information is laid on the table.

(2) The particulars cannot be furnished as the time and labour involved in its collection will be out of all proportion to its utility.

Second Class Magistrate's Court at Perumbavur.

127. **MR. ITTOOP ITTEECHAN** (*Kunnatnad*): Will the Government be pleased to state:

(*a*) whether they are aware that the present Stationary Magistrate at Perumbavur has only the powers of a Third Class Magistrate;

(*b*) if so, the reason why he has not been invested with the powers of a Second Class Magistrate;

(*c*) whether they are aware that, since there is no Second Class Magistrate's Court at Kunnatnad, the people of the taluk have to go to the Second Class Magistrates' Courts of the Parur and Muvattupuzha taluks which are situated some twenty miles away from that place; and

(*d*) if the answer to part (*c*) is in the affirmative, whether they will remove the hardship experienced by the inhabitants of the Kunnatnad taluk, on account of the absence of a Second Class Magistrate's Court at Perumbavur?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) He has since been invested with the powers of a Second Class Magistrate.

(*b*), (*c*) & (*d*). In view of answer to (*a*), these do not arise.

Applications for transfer of registry of land.

128. **MR. K. MADHAVAN PILLAI** (*Trivandrum cum Neduvangad*): With reference to the 6,346 applications for transfer of registry rejected in the year 1104 by the Land Revenue authorities on the ground that the alienor had no title or possession and with reference also to the 1,900 cases similarly rejected on the ground that "all the co-owners did not execute the document," will the Government be pleased to state what authority the Land Revenue officers had to settle civil rights, determine possession or question the validity of documents?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): The Reevenue officers adhere to the provisions contained in Rule 18 of the Pokkuvaravu Rules regarding possession, payment of tax, etc., in Pokkuvaravu enquiries, and this does not affect the legal rights of any person.

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* *Vide* Appendix XIX—page 453.

Appendix XIII A.

***Vide* Answer to Question No. 111.**

Statement showing the number of patients treated in the District Hospital, Lalam.

Year.	Men.	Women.	Children.	Remarks.
1103	14,469	13,766	8,629	Includes
1104	14,400	13,689	8,956	in and out
1105	13,794	14,607	8,869	patients.

Appendix XIII B.

***Vide* Answer to Question No. 111.**

	1103	1104	1105
Number of women treated as in-patients.	114	89	167

Appendix XIV.

***Vide* Answer to Question No. 112.**

Statement, by caste, of the clerks of the Munsiff's Court, Muvattupuzha.

I. Hindus.	
Brahmin (Malayala)	...
Brahmin (Others)	8
Kshatriya (Malayala)	...
Vellala	1
Nayar	5
Ezhava	1
Kammala	...
Other Hindus	...
II. Mussalmans.	
III. Christians.	
Protestants	...
Roman Catholics—Latin rite	...
Syriac rite	...
Syrians —Jacobite	...
Mar Thoma	...
Church of England	...
Total	15

Appendix XV A.

Vide Answer to Question No. 114.

Statement, by caste, of acting appointments made by the Dewan Peishkars and the Commissioner, Devicolam, during the years 1104, 1105 and 1106 (till 25-3-1106).

No.	Name of Division.	Brahmins (Malayala).	Brahmins (others).	Kshatriyas.	Nayars.	Ezhavas.	Nadars.	Kammalas.	Vellalas.	Pulayas.	Other Hindus.	Other depressed classes.	Mahomedans.	Christians. Protestants.	Christians. Roman Catholics.	Christians. Jacobites.	Christians. Mar Thoma.	Christians. Others.	Remarks.
1	Trivandrum	..	..	..	1	1	..	..	1	..	..	..	1	1	1	..	..	..	
2	Quilon	..	2	..	12	2	..	1	..	..	..	..	..	1	2	4	5	..	
3	Kottayam	..	..	..	..	1	..	..	..	..	1	..	1	..	1	..	..	..	
4	Devicolam	...	1	..	11	..	..	..	[illegible]	..	..	..	..	1	..	2	1	..	

Appendix XV B.

***Vide* Answer to Question No. 114.**

Statement, by caste, of permanent appointments made by the Dewan Peishkars and the Commissioner, Devicolam, during the years 1104, 1105 and 1106 (till 25-3-1106).

No.	Name of Division.	Brahmins (Malayala.)	Brahmins (Others.)	Kshatriyas.	Nayars.	Ezhavas.	Nadars.	Kammalas.	Vellalas.	Pulayas.	Other Hindus.	Other depressed classes.	Mahomedans.	Christians. Protestants.	Christians. Roman Catholics.	Christians. Jacobites.	Christians. Mar Thoma.	Christians. Others.	Remarks.
1	Trivandrum .	..	2	..	12	1	1	..	1	..	1	..	..	1	1	..	..	..	
2	Quilon .	...		...	2	2	..	..	..	..	..	..	..	..	..	..	..	..	
3	Kottayam .	..	..	..	1	1	..	..	..	..	..	..	1	..	1	1	..	..	
4	Devicolam .	.	2	...	4	..	..	..	..	..	..	..	1	1	..	1	1	..	

Appendix XVI.

***Vide* Answer to Question No. 118.**

Serial No.	Name.	Year of passing B. A.	Whether L. T. or not.	Present pay.	Remarks.
				Rs.	
1	Mr. I. Chelliah	1922	L. T.	25 (25-50) + 30 A. A.	Acting in a graduate vacancy.
2	,, E. E. Chacko	1923	Do.	50 (35-50)	Do.
3	,, V. Ramaswamy Aiyar	1924	Do.	50 (35-50)	Do.
4	,, Subrahmanya Aiyar	1924	Do.	50 (35-50)	Do.
5	,, T. S. Rama Aiyar	1924	Do.	35 (25-50) + 20 A. A.	Do.
6	,, P. G. Ranga Aiyar	1924	Under training.	40 (25-50) + 17½ A. A.	Do.
7	Miss Deena Mathew	1924	L. T.	75 (75-10-125-10-175)	
8	Mr. K. Velu Nayar	1925	Do.	40 (25-50) + 17½ A. A.	Do.
9	,, M. Ganapathy Aiyar	1925	Under training	40 (35-50)	
10	,, K. C. Nilakanta Variar	1925	Under training course.	40 (35-50) + 10 A. A.	Do.
11	,, D. K. Damodaran Kartha	1925	Do.	40 (35-50)	
12	,, S. Ramakrishna Aiyar	1926	L. T.	40 (25-50) + 10 A. A.	Do.
13	,, C. S. Venkatarama Aiyar	1926	Do.	40 (25-50) + 10 A. A.	Do.
14	,, A. Lekshminarayana Aiyar	1926		20 (20-25) + 5 A. A.	Acting in the scale of Rs. 25-50.
15	,, R. Krishna Aiyar	1926	Undergone training course.	35 (25-50) + 15 A. A.	Acting in a graduate vacancy.
16	,, P. Kolappa Pillai	1926		35 (35-50)	
17	,, V. Gopala Pillai	1926	L. T.	35 (35-50)	
18	,, A. Padmanabha Aiyar	1926	Under training	35 (35-50)	

Appendix XVI—(*contd.*)

Serial No.	Name.	Year of passing B. A.	Whether L. T. or not.	Present pay.	Remarks.
				Rs.	
19	Mr. K Narayana Kurup	1926		20 (20-15) + 30 A. A.	Acting in a graduate vacancy.
20	Miss Rachel Joseph	1926	L. T.	45 (40-60)	
21	Mr. K. Muthuswamy Pillai	1927	Under training.	35 (25-50)	
22	„ K. Narayana Pillai	1927		20 (20-25) + 30 A. A.	Do.
23	„ C. V. Varghese	1927	L. T.	50 (25-50)	
24	„ C. Muthuswamy Aiyar	1927	Do.	45 (25-50)	
25	„ K Sivasankara Pillai	1928	Do.	30 (25-50)	
26	„ R Venkitarama Aiyar	1928	Under training.	45 (25-50)	
27	„ A. Krishna Aiyar	1929	Do.	50 (25-50)	
28	„ N. Kesava Pillai	1929		20 (20-25)	
29	„ G. Gopala Menon	1930		50 (25-50)	
30	„ K. S. Viswanatha Aiyar	1930		50 (25-50)	
31	„ A. C Joseph	1930		50 (25-50)	
32	„ S. Harihara Aiyar	1930		50 (35-50)	
33	„ J. M. Sathyanesan	1930		20 (20-25) + A. A. 30	
34	„ S. Sankarasubrahmanya Aiyar	1930		20 (20-25)	Acting in a graduate vacancy.

Appendix XVII.

Vide Answer to Question No. 121.

Appointments in District Courts.

No.	Names of Courts.	No. of appointments made during the period from 1-12-1103 to 15-4-1106.	No. of Muslims who got appointments among these.	No. of Muslim applicants during the period.	No. of graduates appointed during the period.	Remarks.
1	Nagercoil District Court	16	...	3	4	
2	Trivandrum District Court	116	..	1	17	
3	Quilon District Court	51	3	3	6	
4	Alleppey District Court	82	4	4	3	
5	Kottayam District Court	40	..	..	2	
6	Parur District Court	381	6	7	17	

Appendix XVIII.

***Vide* Answer to Question No. 122.**

Statement of appointments made by Munsiffs during the period from 1-12-1103 to 15-4-1106.

Names of Courts.	No. of appointments made from 1-12-1103 to 15-4-1106.	No. of Muslims appointed during the period.	No. of Muslims who applied for appointment during the period.
Nagercoil Prl. Munsiff's Court .	25	...	5
Do. Addl. Do. .	18	2	4
Padmanabhapuram Prl. Do. .	25	2	2
Do. Addl. Do. .	32	1	..
Kuzhithurai Prl. Do. .	28	..	..
Do. Temporary Do. .	24	..	..
Trivandrum Prl. Munsiff's Court .	65	..	1
Do. Additional Do. .	33	..	1
Do. Temporary Do. .	13	..	4
Attingal Principal Do. .	36	3	2
Do. Additional Do. .	15	..	4
Neyyattinkara Principal Do. .	161	1	3
Do. Additional Do. .	35	1	1
Neduvangad Munsiff's Court .	24	..	2
Quilon Principal Munsiff's Court .	32	1	5
Do. Additional Do. .	101	1	2
Kottarakara Munsiff's Court .	16	1	1
Shencotta Do. .	12	1	2
Adoor Do. .	137	2	2
Chengannur Do .	13	..	4
Mavelikara Do. .	20	1	..
Krishnapuram Do. .	11	..	2
Karunagapalli Do. .	45	1	3
Alleppey Principal Munsiff's Court .	66	2	1
Do. Additional Do. .	24	1	..
Haripad Munsiff's Court. .	73	..	..
Shertallai Principal Munsiff's Court .	140	..	1
Do. Temporary Do. .	10	..	..
Vaikam Principal Do. .	43	..	..
Do. Temporary Do. .	15	..	..
Kottayam Munsiff's Court .	12	..	3
Changanachery Do. .	27	.	..
Tiruvalla Do. .	87	...	1
Meenachil Do. .	32	1	1
Kanjirapally Do. .	19	..	..
Parur Do. .	11	..	1
Perumpavoor Do. .	64	2	4
Muvattupuzha Do.	102	1	..
Todupuzhai Do. .	8	2	2
Devicolam Do. .	4	..	..

Appendix XIX.

***Vide* Answer to Question No. 126.**

Statement showing the number of revenue auctions for arrears of tax in the Neyyattinkara taluk.

Period.	No. of cases.
1103	289
1104	243
1105	75
1106 (up to 18-4-1106)	18

MOTION FOR THE ADJOURNMENT OF THE BUSINESS OF THE HOUSE.

DEPUTY PRESIDENT: Mr. Damodaran Asan has placed in my hands an application for leave to move the adjournment of the business of the Council to discuss a definite matter of urgent public importance, namely, the situation caused by the prosecution for sedition of the editors of Bhajebharatham and some other newspapers in Travancore even after the conclusion of the Gandhi-Irwin Pact. I may say, the Gandhi-Irwin Pact has nothing to do with the prosecutions for sedition in criminal courts in Travancore. The application by Mr. Asan does not fulfil the requirement of the Rules and Standing Orders dealing with adjournment motions. I therefore disallow his application.

AMENDMENT OF STANDING ORDER No. 56.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Sir, I beg to move that the Amendment of Standing Order No. 56 be finally read and passed.

MR. V. CHELLAM PILLAI (*Tovala*): I second it.

The motion was carried *nem con.*

THE TRAVANCORE KSHATRIYA BILL.

MR. REVATI NAL RAMAVARMA RAJA (*Edavagai*): സർ, ക്ഷത്രിയബിൽ ഈ കൌൺസിലിൽ വായിക്കണമെന്നു ഞാൻ അഭിപ്രായപ്പെട്ടുകൊള്ളുന്നു.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): I second it.

MR. REVATI NAL RAMAVARMA RAJA (*Edavagai*): സർ, ക്ഷത്രിയബിൽ ഇവിടെ അവതരിപ്പിക്കുന്നതിന് അനുവാദം തന്ന ഗവൺമെൻറിനോടും ഈ കൌൺസിലിനോടും ക്ഷത്രിയരുടെ പ്രതിനിധി എന്നനിലയിൽ ഞാൻ നന്ദിപറഞ്ഞുകൊള്ളുന്നു. സമുദായഘടനയ്ക്കും സമുദായോൽക്കർഷത്തിനും ചില നിയമങ്ങൾ അത്യാവശ്യമായിട്ടുള്ളതാണ് എന്നുള്ളതിൽ പക്ഷാന്തരമില്ല. പൂർവീകന്മാരാൽ ചിലനിയമങ്ങൾ

[Mr. Revatinal Ramavarma Raja.]

ഉണ്ടാക്കി സമുദായങ്ങളെ നിയന്ത്രിച്ചുകൊണ്ടിരുന്ന കാലം വിട്ടു. ഓരോ സമുദായങ്ങളും അവരവക്കു വേണ്ട പരിഷ്കാരങ്ങൾക്കും അഭ്യുന്നതിക്കും ഉതകത്തക്ക നിയമങ്ങൾ ഉണ്ടാക്കിവരുന്ന ഒരു കാലമാണ് ഇതു്. അങ്ങനെയിരിക്കുന്ന സന്ദർഭത്തിൽ ക്ഷത്രിയക്കും ഒരു നിയമം വേണമെന്നു പറയുന്നതിൽ വലിയ തെറ്റൊന്നുമില്ല. ഇതിനുംപുറമെ ഇതരസമുദായങ്ങളെ സംബന്ധിച്ചിടത്തോളം പാസായിട്ടുള്ള ബില്ലുകൊണ്ടു ക്ഷത്രിയസമുദായത്തിനു ചില ന്യൂനതകൾ ഉണ്ടായിട്ടുള്ള ഈ സന്ദർഭത്തിൽ ക്ഷത്രിയക്കു് ഒരു ബിൽ അത്യാവശ്യമാണെന്നു പറയാതെയിരിക്കാനും നിവൃത്തിയില്ല. നായർബില്ലിൻെറ ആവിർഭാവത്തോടുകൂടിത്തന്നെ ക്ഷത്രിയക്കും ഒരു ബിൽ വേണമെന്നു പലക്കും തോന്നിത്തുടങ്ങി. നംപൂതിരിബിൽ പാസായതോടുകൂടി ഇതത്യാവശ്യമാണെന്നുള്ള ഒരു നിലയും വന്നുകൂടി. എന്നാൽ ഒരു ബിൽ ആവശ്യമില്ലെന്നും, ബിൽ ഉണ്ടാക്കുന്നതു നാശകരമാണെന്നു പറയുന്ന ആളുകൾ ഇപ്പോഴും അങ്ങുമിങ്ങും ഇല്ലാതേയില്ല. എൻെറ ബില്ലുകൊണ്ടു് ഉൽപതിഷ്ണുക്കളേയും, യാഥാസ്ഥിതികരേയും, മിതവാദികളേയും ഒരുപോലെ തൃപ്തിപ്പെടുത്താൻ കഴിയുമെന്നു ഞാൻ വിചാരിക്കുന്നില്ല. ഒരുവേള മിതവാദികൾ എൻെറ ബില്ലു കൊണ്ടു തൃപ്തിപ്പെട്ടേക്കാനും മതി.

സമസ്തകേരളീയക്ഷത്രിയസഭ വളരെക്കാലമായി ക്ഷത്രിയക്കു് ഒരു ബില്ലുവേണമെന്നു ജനങ്ങളെ ഉൽബോധിപ്പിച്ചു തുടങ്ങിയിട്ടുണ്ടു്. ആ സഭയുടെ ആവശ്യപ്രകാരം എൻെറസ്നേഹിതൻ മി. എ. ജി. മേനവൻ കുറച്ചുകാലത്തിനുമുമ്പു് ഒരു ക്ഷത്രിയബിൽ അവതരിപ്പിക്കാൻ അനുവാദം ചോദിച്ചു. എന്നാൽ അതു് എന്തോ ചില കാരണവശാൽ ഹജ്ജൂർകച്ചേരിയിലുള്ള ഏതോ ചില ഇരുട്ടറകളിൽ അകപ്പെട്ടു വഴി പിഴച്ചുപോയി എന്നു് ഊഹിക്കേണ്ടിയിരിക്കുന്നു. എന്തുകൊണ്ടെന്നാൽ അതുസംബന്ധിച്ചുള്ള യാതൊരുവിവരവും തന്നെ വെളിയിൽ അറിഞ്ഞുകൂടാ. അങ്ങനെയിരിക്കുന്ന അവസരത്തിലാണ് എൻെറ സ്നേഹിതൻ മി. എൽ. ആർ. രാജരാജവമ്മകോയിത്തമ്പുരാൻ ഒരു ബിൽ അവതരിപ്പിക്കാൻ അനുവാദം ചോദിച്ചതു്. ആ ബില്ലിനെ സംബന്ധിച്ചടത്തോളം എനിക്കും എൻെറ ചില സ്നേഹിതന്മാക്കും സ്വല്പമായ ചില അഭിപ്രായവ്യത്യാസങ്ങളുണ്ടായി. ക്ഷത്രിയരുടെ ഇപ്പോഴത്തെ സ്ഥിതിയ്ക്കു് അത്ര രൂക്ഷമായ ഒരു ബിൽ ആവശ്യമില്ലെന്നാണ് എനിക്കു തോന്നിയതു്. അതിൻെറ ഫലമായിട്ടാണു ഞാൻ ഇന്നു് ഇവിടെ ഈ ബിൽ അവതരിപ്പിക്കുന്നതു്.

എൻെറ ബില്ലുകൊണ്ടു ഞാൻ ഉദ്ദേശിക്കുന്നതു് ഒന്നാമതായി, ഇതരസമുദായക്കാരുടെ ബില്ലുകൊണ്ടു ക്ഷത്രിയസമുദായത്തിനു നേരിട്ടിട്ടുള്ള ന്യൂനതയെ പരിഹരിക്കുന്നതിനും, രണ്ടാമതു തറവാട്ടുഭരണത്തിൻെറ ന്യൂനതകൾകൊണ്ടു തറവാടുകൾ ക്ഷയിച്ചുപോകുന്നതിനെ തടയുന്നതിനുവേണ്ട വ്യവസ്ഥചെയ്യുന്നതിനും, മൂന്നാമതു് ഇപ്പോൾ നിലവിൽ ഇരിക്കുന്ന സാമുദായിക ആചാരങ്ങൾക്കും പതിവുകൾക്കും നിയമസാധുത്വം ഉണ്ടാക്കിത്തീർക്കുന്നതിനും, നാലാമതു വിവാഹം, വിവാഹബന്ധം ഒഴിയൽ ഇവകൾ ഇപ്പോൾ നടന്നുവരുന്നരീതിയെവിട്ടു നിയമാനുസാരണമാക്കാനും, അഞ്ചാമതു തറവാട്ടിലുള്ള അംഗങ്ങൾക്കു ചിലവിനു ചോദിക്കുന്നതിനും വാങ്ങിക്കുന്നതിനുമുള്ള വ്യവസ്ഥകൾ ചെയ്യുന്നതിനും, ആറാമതു ദായക്രമത്തെ നിയന്ത്രിക്കുന്നതിനു വേണ്ട വ്യവസ്ഥകൾ ചെയ്യുന്നതിനുംആണു്. ഈ സംഗതികളിലെല്ലാം പഴയ മാമൂൽ അനുസരിച്ചു് ഇപ്പോഴും നടന്നുവരുന്നുണ്ടെങ്കിലും ശരിയായ ഒരു നിയമമില്ലാത്തതുകൊണ്ടു പല കാര്യങ്ങളും കോടതിമുഖാന്തിരം തർക്കങ്ങൾ തീർക്കേണ്ടതായി വരുന്ന സമയത്തു് അപ്പോഴപ്പോൾ പ്രിസൈഡിങ്ങ് ആഫീസേഴ്സായിരിക്കുന്ന ജഡ്ജിമാരുടെ യുക്തംപോലെയോ അല്ലെങ്കിൽ ഹിതംപോലെയൊ... ...

DEPUTY PRESIDENT : അല്ലെങ്കിൽ തെളിവനുസരിച്ചോ.... ...

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): വിധി കല്പിച്ചുവരികയാണു ചെയ്യുന്നതു്. ഇങ്ങനെ വിധികല്പിച്ചുവരുന്നതിൽ പല കുഴപ്പങ്ങളും സങ്കടങ്ങളും പലർക്കും നേരിടുന്നുണ്ടു്. ഇതിനുംപുറമെ നമ്പൂതിരിബിൽ ഈ കൌൺസിലിൽ വാദപ്രതിവാദം നടന്നുകൊണ്ടിരുന്ന സമയത്തു ക്ഷത്രിയസ്ത്രീകളും നംപൂതിരിമാരും തമ്മിലുള്ള വിവാഹം നിയമസാധുത്വമുള്ളതാണൊ എന്നു ചിലർ സംശയിക്കുന്നതിനു് ഇടയായി. ക്ഷത്രിയസമുദായത്തിനു് ഇതിൽപരം ഒരു കുറച്ചിൽ എന്താണു വരാനുള്ളതു്? ഇതിൽ കൂടുതലായി ഇതിനെപ്പററി പറയണമെന്നു ഞാൻ വിചാരിക്കുന്നില്ല. പലരഹസ്യങ്ങളും ഇതിൽ അന്തർഭവിച്ചിരിക്കുന്നതിനാൽ ഇത്രയും പറഞ്ഞതിൽനിന്നും അതിൻെറ ഗൌരവം എല്ലാവർക്കും മനസ്സിലായിരിക്കുമെന്നു ഞാൻവിശ്വസിക്കുന്നു.

പഴയ ആചാരപ്രകാരം വിവാഹത്തിനു ചിലനിർബന്ധങ്ങൾ ഉണ്ടെങ്കിലുംവിവാഹം ഒഴിയുന്നതിനു യാതൊരുനിശ്ചയവുമില്ല. ഭർത്താവു എന്തുപറയുന്നയാൾ കുറച്ചുകാലം വരാതെയിരുന്നാൽ വിവാഹബന്ധം ഒഴിഞ്ഞതായിവിചാരിച്ചു വേറെ ആളെ സ്വീകരിക്കയോ അല്ലെങ്കിൽ വെ

[Mr. Revati Nal Ramavarma Raja.]

റുതെ കാലക്ഷേപം കഴിച്ചു കൂട്ടുകയോ ചെയ്യുകയാണ്. ക്ഷത്രിയരിൽ ചില ഇനക്കാരുടെയിടയിൽ നടക്കുന്ന വിവാഹവും പിന്നീടുള്ള ബാന്ധവവും മററുമോർത്താൽ ഏവനും ലജ്ജിച്ചു തലതാഴ്ത്താതെയിരിക്കാൻ നിവൃത്തിയില്ല.

ഇങ്ങനെ ലജ്ജാവഹമായുള്ള പല സംഗതികളേയും നിയമംമൂലം വ്യത്യാസപ്പെടുത്തേണ്ട കാലം അതിക്രമിച്ചിരിക്കുന്നു. രണ്ടാം അദ്ധ്യായത്തിൽ ഞാൻ ഈ സംഗതികളെപ്പററിയാണ് വ്യവസ്ഥ ചെയ്തിരിക്കുന്നതു്. മൂന്നാം അദ്ധ്യായത്തിൽ മൈനർമാരുടെ രക്ഷാധികാരത്തെ വ്യവസ്ഥപ്പെടുത്തിയിരിക്കുന്നു. നാലാം അദ്ധ്യായത്തിൽ ക്ഷത്രിയർക്കു മരണശാസനം എഴുതാനുള്ള അധികാരത്തെ ഉറപ്പിക്കുന്നു.

DEPUTY PRESIDENT: ആ അധികാരം എല്ലാവർക്കും ഉണ്ടല്ലോ. Even under the existing law, Kshatriyas have got the absolute right to make testamentary dispositions of their property

MR. REVATI NAL RAMA VARMA RAJA (*Eduvagai*): അതിനുള്ള അധികാരം എല്ലാവർക്കും ഉണ്ടെങ്കിലും മററു ബില്ലുകളിലും ഇങ്ങനെ ഒരു വകുപ്പു ചേർത്തു കാണുന്നതുകൊണ്ടു ഞാൻ ഇതിലും ചേർത്തതാണ്.

ആറാം അദ്ധ്യായത്തിൽ തറവാട്ടു ഭരണത്തെപ്പററിയാണു വ്യവസ്ഥ ചെയ്തിരിക്കുന്നതു്. കാരണവന്മാരുടെ ദുരധികാരംകൊണ്ടോ, അല്ലെങ്കിൽ അധികാരത്തിലുള്ള ഭ്രമംകൊണ്ടോ, അല്ലെങ്കിൽ പണത്തിലുള്ള പ്രതിപത്തികൊണ്ടോ, അനന്തിരവരേയും ശേഷമുള്ള ആളുകളേയും ക്രമത്തിലധികം ബുദ്ധിമുട്ടിച്ചു വരികയും എല്ലാത്തിനും പുറമെ തറവാട്ടു സ്വത്തുക്കളെ നശിപ്പിക്കയും ചെയ്യുന്നുണ്ട്. ഇതിനെ തടയുന്നതിനു ഇപ്പോഴും സാധാരണ നിയമപ്രകാരം വഴിയുണ്ടെങ്കിലും പ്രത്യേകമായി ഒരു നിയമം ഇല്ലാത്തതുകൊണ്ടു് അവിടെയും ബുദ്ധിമുട്ടും കാലതാമസവും നേരിടുന്നുണ്ട്. സകലതും നശിച്ചു കഴിഞ്ഞതശേഷമാണ് ഒരു കേസ് തീർച്ചയാകുന്നതു. അങ്ങിനെ വരാതിരിക്കുന്നതിനാണ് ഈ വ്യവസ്ഥ ഇവിടെ ചെയ്തിട്ടുള്ളതു്. ഇതിനും പുറമേ അനന്തിരവർ നിരുത്തരവാദികളായി നടക്കുന്നു. ഇതിനുകാരണം കാരണവൻ അനന്തിരവരെ ഭരണവിഷയത്തിൽ പങ്കുകൊള്ളുന്നതിൽ അനുവദിക്കാത്തതാണ് എന്നു പറയാതിരിക്കാൻ നിവൃത്തിയില്ല. എന്റെ ബില്ലിൽ അനന്തിരവർക്കുകൂടി തറവാട്ടുഭരണത്തിൽ ഒരധികാരം കൊടുത്തിരിക്കുന്നതിന്റെ ഉദ്ദേശം അവർ ഉത്തരവാദിത്വമുള്ളവരായിത്തീർന്നു തറവാട്ടിനു ഗുണം വരുത്തും എന്നുള്ളതാണ്. അതിനാൽ അനന്തിരവർക്കു തറവാട്ടു

ഭരണത്തിൽ ചില അധികാരങ്ങാം ഈ ബില്ലിനാൽ കൊടുക്കുന്നുണ്ട്. ഏഴാം അദ്ധ്യായത്തിൽ തറവാട്ടുഅംഗങ്ങാംക്കു ചിലവിനു കൊടുക്കുന്നതിനും ആവശ്യമുള്ളപക്ഷം ചിലവിലേക്കു വസ്തു തിരിച്ചുകൊടുക്കുന്നതിനുമുള്ള വ്യവസ്ഥകളാണ് അടങ്ങിയിരിക്കുന്നതു്.

എട്ടാം അദ്ധ്യായത്തിൽ ദത്തു് ആവശ്യപ്പെട്ടാൽ അതിലേക്കു വേണ്ട വ്യവസ്ഥകാം ചെയ്തിരിക്കുന്നു.

ഈ ബില്ലിൽ മനഃപൂർവ്വമായി ഒരു സംഗതി ഞാൻ വിട്ടിട്ടുണ്ടു്; അതായതു ഭാഗത്തെപ്പററിയാണ്. അങ്ങനെ വിടുന്നതിനുള്ള കാരണം താഴെ പറയുന്നതാണ്. ഒന്നാമതായി ക്ഷത്രിയരുടെ ഇടയിൽ തന്നെ ഭാഗത്തെപ്പററി അഭിപ്രായവ്യത്യാസമുണ്ടു്. ചെറുപ്പക്കാരുടെയിടയിൽ ആളോഹരിഭാഗം വേണമെന്നു പറയുന്നവരാണ് അധികവും. ഒരു കൂട്ടർ തായ്‌വഴിഭാഗം മതി എന്നും പറയുന്നുണ്ടു്. എന്നെപ്പോലെയുള്ള മനസ്ഥിതിയോടുകൂടിയവർ ഭാഗമേ നാശമാണെന്നു പറയുന്നു. ഇങ്ങനെ അഭിപ്രായവ്യത്യാസങ്ങാം ഉള്ളതുകൊണ്ടു ഭൂരിപക്ഷാഭിപ്രായം എങ്ങിനെയാണെന്നറിഞ്ഞശേഷം ആവശ്യമുള്ളതു ചേക്കാമെന്നു വിചാരിച്ചാണു ഞാൻ ആ ഭാഗം ഇവിടെ തീരെ വിട്ടുകളഞ്ഞതു്.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): സിലക്റ്റ് കമ്മിററിയിൽ ഇതിനെപ്പററി ആലോചിക്കണമെന്നുദ്ദേശിക്കുന്നുണ്ടോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): ഈ ബിൽ സംബന്ധിച്ചു് ആവശ്യമുള്ള സകല സംഗതികളും സിലക്റ്റ് കമ്മിററിയിൽ ആലോചിക്കാം. അല്ലാതെ ഈ ബില്ലുമാത്രം നോക്കി വേണ്ടതു് ഇന്നതു്; വേണ്ടാത്തതു് ഇന്നതു്, എന്നു പറയാനല്ല സിലക്റ്റ് കമ്മിററിയുടെ ഉദ്ദേശം എന്നാണ് എന്റെ അഭിപ്രായം.

ഭാഗത്തെപ്പററിയാണല്ലൊ ഞാൻ പറഞ്ഞു കൊണ്ടുവന്നതു്. എന്റെ സ്വന്ത അഭിപ്രായം മരുമക്കത്തായവും ഭാഗവും തമ്മിൽ അശേഷം യോജിക്കയില്ല എന്നാണ്. മരുമക്കത്തായം നടപ്പിലിരിക്കുന്ന ഈ സന്ദർഭത്തിൽ ഭാഗം ചെയ്തു കഴിഞ്ഞാൽ ക്ഷത്രിയസ്ത്രീകളുടെ സ്ഥിതി വളരെ പരുങ്ങലിലാകും. പുരുഷന്മാൎക്കു് എവിടെ ചെന്നാലും കാലക്ഷേപം കഴിച്ചുകൂട്ടാൻ കഴിയും. ക്ഷത്രിയസ്ത്രീകളുടെ സ്ഥിതി അങ്ങിനെയല്ല. സാധാരണയുള്ള നടപ്പുപോലെ വിവാഹം കഴിക്കുന്നയാറാം ചിലവിനു കൊടുക്കണമെന്നോ അല്ലെങ്കിൽ സ്ത്രീയുടെകാര്യം അന്വേഷിക്കണമെന്നോ

[Mr. Revati Nal Ramavarma Raja.]

ഉള്ള പതിവു ക്ഷത്രിയസ്ത്രീകളെ സംബന്ധിച്ചിടത്തോളമില്ല. വിവാഹം കഴിക്കുന്നയാളിന്റെ ചിലവുകൂടി ക്ഷത്രിയസ്ത്രീയുടെ കുടുംബത്തിൽ നിന്നും നടത്തിക്കൊണ്ടിരിക്കുന്ന ഒരവസരമാണ് ഇതു്. ഇങ്ങനെയിരിക്കുമ്പോൾ ഭാഗം വേണമെന്നു പറഞ്ഞാൽ ക്ഷത്രിയസ്ത്രീകളുടെ സ്ഥിതി പരിതാപകരമായ ഒരു നിലയിൽ ആയിത്തീരും. ഇതു് ഒരു കാരണം. രണ്ടാമതു് വിവാഹത്തിന്റെ സ്ഥിതി ഒന്നു മാററിയതിനു ശേഷമല്ലാതെ ഭാഗം വ്യവസ്ഥപ്പെടുത്തിയാൽ അതിൽ പല കുഴപ്പങ്ങളും സംഭവിച്ചേക്കാമെന്നുള്ളതാണ്. സജാതീയവിവാഹം നടപ്പിൽ വന്നല്ലാതെ ഭാഗത്തെപ്പററി ആലോചിക്കതന്നെ പാടില്ലെന്നാണ് എന്റെ അഭിപ്രായം.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): വിവാഹത്തെ സംബന്ധിച്ചും ഏതാനും വ്യവസ്ഥകൾ വന്നതിനുശേഷമേ ഭാഗം പാടുള്ളു എന്നു പറഞ്ഞുവല്ലോ; ആ വ്യവസ്ഥകൾ ഏതെല്ലാം ആയിരിക്കണമെന്നു പറയാമോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): സജാതീയ വിവാഹം നടപ്പിൽ വന്ന് എല്ലാവരും സജാതീയ വിവാഹം ചെയ്യുമ്പോൾ ഭാഗത്തെപ്പററി ആലോചിക്കാം.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): സ്വജാതിയിൽ മാത്രമേ വിവാഹം ചെയ്യാവൂ എന്നു നിർബന്ധിക്കുന്ന സമ്പ്രദായം നല്ലതാണോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): നല്ലതാണെന്നാണ് എന്റെ അഭിപ്രായം.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ഏകദേശം ക്ഷത്രിയരുടെ ജനസംഖ്യ എത്രയാണെന്നറിയാമോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): അതിന്റെ കണക്കു ഞാൻ നോക്കിയിട്ടില്ല.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): കഴിഞ്ഞസെൻസസ് അനുസരിച്ചു സ്ത്രീയും പുരുഷനും ഏകദേശം ൫൦൦-വും ൬൦൦-ഉം ആണ് എന്നുതോന്നുന്നു. ഈ കണക്കിനു അന്യോന്യംയോജിക്കുന്നവിധം സ്ത്രീക്കുഭർത്താവിനേയും പുരുഷനു ഭാര്യയേയുംസമുദായത്തിൽ നിന്നു തന്നെ തിരഞ്ഞെടുക്കാൻസൌകര്യമുണ്ടോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): ഞാൻ അതിനെപ്പററി ആലോചിച്ചിട്ടുള്ളിടത്തോളം സാധിക്കുമെന്നാണു എന്റെ അഭിപ്രായം.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ഇന്നു എത്ര സ്ത്രീകൾ അവിവാഹിതകളായിട്ടും, വിവാഹം കഴിഞ്ഞശേഷം ഭർത്താവില്ലാതേയും ഇരിക്കുന്നുണ്ടെന്നറിയാമോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): ധാരാളം കാണും. ഒരു ഭർത്താവുതന്നെ രണ്ടും മൂന്നും സ്ഥലത്തു വിവാഹം ചെയ്തിട്ടുള്ളതായി എനിക്കറിയാം.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*). പുരുഷന്മാർക്കു വിജാതിയിലേ ഭാര്യയെ കിട്ടുകയുള്ളൂ എന്നു ചില സന്ദർഭങ്ങളിൽ വരാറുണ്ടെന്നറിയാമോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*); അന്വേഷിച്ചിട്ടില്ല.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): സമുദായത്തിലെ ഏതെങ്കിലും ഒരു വിഭാഗത്തിനു സ്വജാതിയിൽസാധാരണ ഭാര്യ ലഭിക്കാതെ ഇരിക്കയും വിജാതിയിൽനിന്നു ഭാര്യാസ്വീകരണം വേണ്ടിവരികയും ചെയ്യുന്നുണ്ടെന്നറിയാമോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): അതും ഞാൻ അന്വേഷിച്ചിട്ടില്ല.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): അങ്ങിനെ ഉണ്ടെന്നു ഞാൻ പറയുന്നു.

MR. REVATI NAL RAMA VARMA RAJA (*Edavaagi*): അങ്ങനെ ഉണ്ടെങ്കിൽ വേറെ ഏതെങ്കിലും ജാതിയെക്കൂടി ക്ഷത്രിയരുടെ കൂട്ടത്തിൽകൂട്ടാമോ എന്നു നോക്കണം.

ഭാഗം വേണ്ടെന്നു പറയാനുള്ള മറെറാരുകാരണം ബോൾഷേവിക്ക്തത്വത്തെപ്പററി എനിക്കു ചില അറിവുകൾ കിട്ടിയതു നിമിത്തമാണ്. റഷ്യായിൽ രാജ്യഭരണം തന്നെ നമ്മുടെ തറവാട്ടു ഭരണംപോലെയാണു നടക്കുന്നതു്. അതായതു്, രാജ്യത്തിലെ എല്ലാപ്രജകൾക്കും വസ്തുക്കളിൽനിന്നും ചിലവിന് എടുക്കാനുള്ള അവകാശമുണ്ടെന്നല്ലാതെ ആ വസ്തുവിന് അവകാശമില്ല. അതുപോലെയാണ് നമ്മുടെക്കൂട്ടുകുടുംബ ഏർപ്പാടും.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ബോൾഷേവിക്ക് തത്വം കാരണവൻ കുടുംബത്തിലെ ഓരോ അംഗങ്ങൾക്കും ചിലവിനു കൊടുക്കണമെന്നാണോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): ഓരോരുത്തരും വേലചെയ്യണം. അതിലേക്കുകൂടി വേണ്ടവ്യവസ്ഥ ഞാൻ ഈ ബി

[Mr. Revati Nal Ramavarma Raja.]

ല്ലിൽ ഉൾപ്പെടുത്തിയിട്ടുണ്ട്. അനന്തിരവക്കു ചിലവിനു വസ്തു തിരിച്ചുകൊടുത്താൽ അവർ അതിൽ വേലചെയ്തു സമ്പത്തുണ്ടാക്കണം.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*) : വേലചെയ്തില്ലെങ്കിൽ ചിലവിനു കൊടുക്കാൻ പാടില്ലെന്നുണ്ടോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): ഇല്ല. തറവാട്ടിലെ വസ്തു ചിലവിനായി വീതിച്ചു കൊടുത്താൽ അതിൽ വേലചെയ്യുന്ന പക്ഷം കൂടുതൽ ആദായംകിട്ടും. ഒരാൾക്കു വസ്തു ചക്രം കിട്ടിയാൽമതി വേല ചെയ്വാൻ കഴിയുകയില്ല എന്നു വിചാരിക്കുന്ന ആളിനെ നിർബന്ധിച്ചു വേലചെയ്യിക്കണമെന്നും ഞാൻ വിചാരിക്കുന്നില്ല.

പരിഷ്കാരം മൂർദ്ധന്യത്തെ പ്രാപിച്ചിരിക്കുന്ന റഷ്യാരാജ്യത്തു നമ്മുടെ പഴയ നടപ്പിനെ അനുകരിച്ചു രാജ്യഭരണംതന്നെ നടത്തുമ്പോൾ നാം ആളോഹരി ഭാഗത്തിൽ ശ്രമിക്കണോ എന്നു സംശയംകൂടി ഇല്ലെന്നില്ല.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*) : ഏകയോഗക്ഷേമമായിട്ടു സാധാരണ എന്തെല്ലാം കാര്യങ്ങളാണു നടക്കാറുള്ളതു്? ഏകയോഗക്ഷേമമായി നടക്കണമെന്നു ബില്ലിൽ ഏതെല്ലാം കാര്യങ്ങളാണു് വ്യവസ്ഥചെയ്തിട്ടുള്ളതു്?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*) : അതൊക്കെ ഡീറയിൽസാണു്. ഹൌസ്മാനേജ്മെൻറിനെപ്പററി പറഞ്ഞിരിക്കുന്നതു ഒരുമിച്ചു പ്രവൃത്തിക്കണമെന്നാണു്.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ഏകയോഗക്ഷേമം എന്നു പറഞ്ഞാൽ എല്ലാം പൊതുക്കാര്യമായി ഗണിച്ചുനടത്തണമെന്നും ഇല്ലേ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): അതേ.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*) : "ഏകയോഗക്ഷേമം" എന്നപദത്തിൻെറ വ്യാപ്തിബില്ലിൽ എത്രമാത്രം പ്രായോഗികമായിട്ടുണ്ടു്?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*) : ഓരോരുത്തരുടെ മനസ്ഥിതി എത്രയുണ്ടോ അത്രയും അതിനു വ്യാപ്തിയുണ്ടു. ഓരോരുത്തരുടെ മനസ്ഥിതി ഇന്നതരത്തിലായിരിക്കണമെന്നു ഈ ബില്ലുകൊണ്ടു വ്യവസ്ഥചെയ്വാൻ നിവൃത്തിയില്ല. ഓരോരുത്തർക്കു് ഓരോവിധഅഭിപ്രായങ്ങൾ തോന്നുകയില്ല എന്നുഞാൻ വിചാരിക്കുന്നില്ല. ഇതുപൂർത്തിയായ ഒരുബിൽ ആണെന്നുള്ള വിചാരത്തിലല്ല ഞാൻ ഇവിടെകൊണ്ടു

വന്നിട്ടുള്ളതു്. ഇപ്പോഠം നിലവിലിരിക്കുന്ന സമുദായ നടപടികഠംക്കു നിയമസാധുത്വംകൊടുക്കയും അത്യാവശ്യമെന്നു തോന്നിയ ചില ആചാരഭേദഗതികളെ വരുത്തത്തക്കറിയതതിലും ഒരു ബിൽ തയ്യാറാക്കി ഇവിടെ ഹാജരാക്കിയിട്ടുള്ളതാണു്. സിലക്റ്റ്കമ്മിററിയ്ക്കയച്ചു് ഭൂരിപക്ഷാഭിപ്രായത്തോടുകൂടി ഒരു ബിൽ ആക്കിത്തീർക്കണമെന്നുള്ള വിചാരമാണു് എനിക്കുള്ളതു്. പലക്കും പലവിധത്തിലുള്ള അഭിപ്രായങ്ങഠം ഉണ്ടാകാം. അവരുടെ അഭിപ്രായങ്ങളെ ഈ കൗൺസിലിൽതന്നെ ഈ ബില്ലിന്റെ അമൻറമെൻറായിട്ടു കൊണ്ടുവരാം. അതിനെ സംബന്ധിച്ചു വേണ്ടവാദപ്രതിവാദങ്ങഠം നടത്തി ന്യായമാണെന്നു ശേഷമുള്ള ആളുകഠംക്കെല്ലാവക്കും തോന്നുന്ന പക്ഷം അതുബില്ലിൽ ചേക്കാം. ഇതു് ഇവിടെ നംപൂതിരി ബിൽ വാദപ്രതിവാദം ചെയ്തപ്പോഠം ദിവസവും നാം കണ്ട ഒരു സംഗതിയാണു്.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ക്ഷത്രിയക്കു മാത്രമായി ഒരു ബിൽ വേണമെന്നും, ക്ഷത്രിയരോടു ഐക്യരൂപ്യമുള്ള മററുസമുദായക്കാരെക്കൂടി ചേത്തുള്ള ഒരു ബിൽ പോരാ എന്നും പറയുന്നതിനു വല്ല പ്രത്യേകകാരണവും ഉണ്ടോ?

DEPUTY PRESIDENT: അതു് ആദ്യമേ പറഞ്ഞുകഴിഞ്ഞല്ലൊ.

There are certain features peculiar to the Kshatriya Community. He has already answered that.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): സാമന്തർ എന്നൊരു വിഭാഗക്കാരുണ്ടെന്നറിയാമോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): അറിയാം.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): സാമുദായികമായ വിഷയങ്ങളിൽ അവരും ക്ഷത്രിയരും തമ്മിൽ വലിയ വ്യത്യാസമുണ്ടെന്നു വിചാരിക്കുന്നുണ്ടോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): കാണത്തക്കവണ്ണമുള്ള വത്യാസം അവക്കു പൂണുൽ ഇല്ല, ക്ഷത്രിയക്കു പൂണുൽഉണ്ടു് എന്നുള്ളതാണു്.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): സാമുദായികമായി?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): അവരുംനമ്മളും ബ്രാഹ്മണർ പാകം ചെയ്താൽ ഭക്ഷണം കഴിക്കും. മററുവ്യത്യാസങ്ങളൊന്നും ഞാൻ സൂക്ഷിച്ചിട്ടില്ല.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ബില്ലിൽ അവരെക്കൂടി ചേർക്കുന്നതിൽ വിരോധമുണ്ടോ?

DEPUTY PRESIDENT: Your idea is to oppose the Bill in that form. Is it so, Mr. Raja Raja Varma?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): Certainly not. I am only going to support the Bill.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): ഈ ബില്ലിൽ അവരെ കൂടി ഉൾപ്പെടുത്തുന്നതിൽ എനിക്ക് യാതൊരുവിപരീതാഭിപ്രായവുമില്ല.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ആ സംഗതി സംബന്ധിച്ച് അഭിപ്രായവ്യത്യാസമുള്ളതുകൊണ്ടാണ് ഞാൻ ഇതു എടുത്തു ചോദിച്ചതു്.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*). സാമന്തക്ക അതു തൃപ്തിയാണെങ്കിൽ എനിക്കു യാതൊരു വിരോധവുമില്ല.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ക്ഷത്രിയക്കു ഒരു നിയമം വേണമെന്നു പറഞ്ഞു. ഇതേതത്വം തന്നെയാണു മി. കോയിത്തമ്പുരാൻെറ ബില്ലിലും അടങ്ങിയിട്ടുള്ളതെന്ന് അറിയാമോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): ഞാൻ അതു് വായിച്ചുനോക്കിയില്ല.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): മി. കോയിത്തമ്പുരാൻെറ ബില്ലിൽ എല്ലാം സമുദായത്തെയാണ് ഉദ്ദേശിച്ചിട്ടുള്ളതെന്നറിയാമോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): അതും അറിഞ്ഞുകൂടാ.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ക്ഷത്രിയസമുദായത്തിൽ ആരെല്ലാം ഉൾപ്പെടുമെന്നറിയുമോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*); ക്ഷത്രിയരെല്ലാം ഉൾപ്പെടും.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ഡഫനിഷനിൽ ക്ഷത്രിയർ എന്നു പറയുന്നവരും ക്ഷത്രിയരായി അറിയപ്പെടുന്നവരും എന്നു മാത്രം പറഞ്ഞിരുന്നെങ്കിൽ ഞാൻ ഈ ചോദ്യം ചോദിക്കയില്ലായിരുന്നു. ഇതിൽ ചില വിഭാഗക്കാരുടെ പേർ എടുത്തു പറഞ്ഞിട്ടുണ്ട്. അതു് അവ്യക്തവുമായിരിക്കുന്നു.

ആ സ്ഥിതിയ്ക്ക് ക്ഷത്രിയർ എന്ന് ആരെ എല്ലാം ഉദ്ദേശിച്ചാണ് പറഞ്ഞിരിക്കുന്നത്?

MR. REVATINAL RAMA VARMA RAJA (*Edavagai*): ഇതിൽ ആരെ എല്ലാം പറഞ്ഞിട്ടുണ്ടോ അവരെയൊക്കെ ഉദ്ദേശിച്ചാണ് ഈ ബിൽ കൊണ്ടുവന്നിട്ടുള്ളത്.

DEPUTY PRESIDENT: That list is not exhaustive.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): കൊച്ചി നായർ റഗുലേഷനിൽ 'നായർ' എന്നതിനു യാതൊരു ഡെഫനിഷനും കൊടുത്തിട്ടില്ല. നായരിൽ ആരെല്ലാം ഉൾപ്പെടും എന്നു ഇവിടെ സംശയവും വന്നിട്ടില്ല.

DEPUTY PRESIDENT: The definition of the term 'Kshatriya' includes Koil Tampurans, Rajas, Tampans, Pandarathils, Thirumulpads, and others known or recognised as Kshatriyas. This follows the definition obtaining in all such social legislations.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): 'രാജാ' എന്ന് വടക്കുംകൂറും തെക്കുംകൂറും രാജാക്കന്മാർ എഴുതിവരുന്നുണ്ട്. അവർ ക്ഷത്രിയരാണെന്നു പറയുന്നോ, അല്ല എന്നു പറയുന്നോ? സംശയമുള്ളതു ബില്ലിൽ കൊണ്ടുവച്ചാൽ ഇളയതു ബ്രാഹ്മണനാണോ എന്ന തർക്കം വന്നതുപോലെ തർക്കം വരാൻ ഇടയുണ്ട്.

MR. REVATINAL RAMA VARMA RAJA (*Edavagai*): രാജാക്കന്മാരൊക്കെ ക്ഷത്രിയരാണ്.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): 'തമ്പാൻ' എന്നു പറഞ്ഞാൽ സാധാരണ തമ്പാക്കന്മാരും കതിരവട്ടത്തു തമ്പാനും ഉൾപ്പെടും, 'പണ്ടാരത്തിൽ' എന്നുപറഞ്ഞാൽ സാധാരണ പണ്ടാരത്തിൽമാരും വഞ്ഞിപ്പുഴപണ്ടാരത്തിലും ഉൾപ്പെടും അതുകൊണ്ട് അതൊന്നു വ്യക്തപ്പെടുത്തിപറയണം.

MR. REVATINAL RAMA VARMA RAJA (*Edavagai*): അവർക്കും ഈ ബില്ലിൽ ഉൾപ്പെടണമെന്നുണ്ടെങ്കിൽ ആകാം. ചില കാര്യങ്ങൾ അവ്യക്തമായിരിക്കയാണ് ഇപ്പോഴത്തെ സ്ഥിതിക്കു നല്ലതെന്നു എനിക്കു തോന്നുന്നു.

DEPUTY PRESIDENT: Let us confine our attention to this measure, please.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): കുറെക്കൂടി വ്യക്തപ്പെടുത്താനുള്ള വഴിയാണ് ഞാൻ സജസ്റ്റ് ചെയ്യുന്നത്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അവരെക്കൂടി ഉൾപ്പെടുത്താമെന്നു വിചാരിക്കുന്നുണ്ടോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): ഞാൻ ബില്ലിൽ പറഞ്ഞിരിക്കുന്നതു മാത്രമെ ഉദ്ദേശിച്ചിട്ടുള്ളൂ.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapulli*): 'Others known as Kshatriyas' എന്നുകൂടി ചേർക്കുന്നതുകൊണ്ടു വിരോധമുണ്ടോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): ക്ഷത്രിയർ എന്നു അഭിമാനിക്കുന്ന ആളുകളെയെല്ലാം ഇതിൽ ഉൾപ്പെടുത്തുന്നതുകൊണ്ടു എനിക്കു വിരോധമില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapulli*): അവരെ കൂടി ഉൾപ്പെടുത്തത്തക്കവണ്ണം വല്ല ക്ലാസ്സുംകൂടി ചേർക്കണമെന്നു ഉദ്ദേശമുണ്ടോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): എനിക്കു അതിൽ വിരോധമില്ല. പക്ഷേ അവർ ഉൾപ്പെടുമോ എന്നെനിക്കു സംശയമാണു്.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): അവരെക്കൂടി ഉൾപ്പെടുത്തുന്നതിനു ഈ സഭയ്ക്കു അധികാരമുണ്ടു്. മാരാർ നായന്മാരിൽ ഉൾപ്പെടുമോ ഇല്ലയോ എന്നു സംശയിക്കേണ്ട ആവശ്യം വല്ലതുമുണ്ടോ; തെളിച്ചെഴുതിയാൽ വേണ്ടവർ ആരും ഉൾപ്പെടുന്നതാണല്ലോ.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): ആവശ്യമുള്ള ഭാഗങ്ങൾ അമെൻറുമെൻറായി കൊണ്ടുവന്നു ചേർക്കുന്നതിൽ എനിക്കൊരു വിരോധവുമില്ല.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ഞാൻ താഴെ പറയുന്നതുപോലെ ഒരു അമെൻറുമെൻറു കൊണ്ടുവരുന്നതു സമ്മതമാണോ?

DEPUTY PRESIDENT: The better solution would be, to refer the Bill to the Select Committee and to bring within its scope all those members of the Kshatriya community, who are known and recognised as such.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): സാമന്തർ ക്ഷത്രിയരാണോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): അതു നിശ്ചയിക്കേണ്ടതു ഞാനല്ല എന്നു പറഞ്ഞു കഴിഞ്ഞു.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): എങ്കിലുംഅവിടത്തെ അഭിപ്രായമെന്താണ്.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): വേറെ ഒരാളിൻെറ കാര്യത്തിൽ ഞാൻ എങ്ങിനെയാണ് ഒരഭിപ്രായം പറയുന്നത്. അവരെക്കൂടി ചേൎക്കുന്നതുകൊണ്ടു എനിക്കു വിരോധമൊന്നുമില്ല.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ഇതിൽ വിദേശീയക്ഷത്രിയന്മാരും നാടാർ ക്ഷത്രിയന്മാരും ഉൾപ്പെടുമോ? (ചിരി).

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): മലയാളക്ഷത്രിയർ മാത്രമേ ഉൾപ്പെടുകയുള്ളു.

DEPUTY PRESIDENT: അതിനെപ്പററി തെളിവെടുത്തു നിശ്ചയിക്കുന്നതിനുള്ള അധികാരം സിലക്ട്കമ്മിററിക്കു കൊടുക്കാം.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): ആരെല്ലാമാണ് ക്ഷത്രിയർ എന്നു സിലക്ട്കമ്മിററിയോ അല്ലെങ്കിൽ അതിന് അധികാരമുള്ളവരോ നിശ്ചയിച്ചു കൊള്ളട്ടെ.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): മററു മരുമക്കത്തായികളുടെ നിയമംകൊണ്ടു ക്ഷത്രിയ സമുദായത്തിനു ചില ന്യൂനതസംഭവിച്ചിട്ടുള്ളതിനെ പരിഹരിക്കുന്നതിനു കൂടിയാണ് ഈ ബിൽ അവതരിപ്പിക്കുന്നതു എന്നു പറഞ്ഞല്ലോ. അതു എന്താണെന്നു പറയാമോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): നംപൂതിരിബിൽ ഇവിടെ പാസായപ്പോൾ നംപൂതിരിമാൎക്കും ക്ഷത്രിയസ്ത്രീകൾക്കും തമ്മിലുള്ള വിവാഹബന്ധത്തിനു നിയമസാധുത്വം ഉണ്ടോ എന്നു സംശയിച്ചു. അതിനെ പരിഹരിക്കാനായിട്ടു തന്നെയാണ് ഈ ബില്ലു കൊണ്ടു വന്നിട്ടുള്ളതു്.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): മററു സമുദായങ്ങളുടെയിടയിലുള്ളതുപോലെ തന്നെ ഒരു സുസ്ഥിരമായ വിവാഹബന്ധം വേണമെന്നു നിർബന്ധമുണ്ടോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): ഉണ്ട്.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): അതിലേക്കുപര്യാപ്തമായ വകുപ്പു വല്ലതും ഈ ബില്ലിൽ ഉണ്ടോ?

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): അതു ചേൎത്താൽ കൊള്ളാമെന്നു എനിക്കാഗ്രഹമുണ്ട്. എന്നാൽ ക്ഷത്രിയസമുദായത്തിലെ ചില സ്ഥിതി നോക്കിയാൽ അതു ചേൎക്കുന്നപക്ഷം ചില ബുദ്ധിമുട്ടുകൾ നേരിടുമെന്നുള്ളതിനാൽ ചേൎക്കാതെ വിടുകയാണ് ചെയ്തതു്.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): ക്ഷത്രിയസമുദായത്തിൽ സ്ത്രീകളൊ പുരുഷന്മാരോ അധികം?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): കഴിഞ്ഞ സെൻസസ് അനുസരിച്ച് ൯൦൦ + ൧൦൦ ആണ് ജനസംഖ്യ.

DEPUTY PRESIDENT: I think at this stage, I may allow Mr. Revati Nal Rama Varma Raja to have his say. Those matters, to which Mr. Raja Raja Varma drew the attention of the House, deserve consideration, and serious consideration of the Select Committee. You must leave it at that, instead of trying to get an exhaustive definition at this stage, committing the House in the absence of definite findings as to whether that definition is correct or not. In the Select Committee, all those aspects will be considerd. Let our hands be free now.

MR. K. P. NILAKANTA PILLAI (*Chirxyinkil*): മി. രാജരാജവർമ്മ കൊണ്ടുവന്നിട്ടുള്ള മൈനാർട്ടി മരുമക്കത്തായം ബില്ലിൽ ഈ ക്ഷത്രിയബിൽകൊണ്ടു ഉദ്ദേശിക്കുന്ന ഗുണങ്ങൾ കിട്ടുമെങ്കിൽ ഈ ബിൽ പിൻവലിക്കുന്നതിൽ വിരോധം ഉണ്ടോ?

DEPUTY PRESIDENT: He has answered that.

MR. K. P. NILAKANTA PILLAI (*Chiraginkil*): വായിച്ചില്ല എന്നാണ് പറഞ്ഞതു്.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): ഏതു ബില്ലായാലും ഞാൻ എന്റെ ബിൽ പിൻവലിക്കാൻ തയ്യാറില്ല.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I wish to say a few words on this motion. On going through the Bill of Mr. Rama Varma Raja, I find the principles underlying the Bill appear to be these. As a rule, principles are to be looked for, in the Statement of objects and reasons given at the end of the Bill. The two principles laid down in the Bill appear to be these. One is, that there should be some enactment to define and amend the law of marriage, succession, maintenance and tarwad management, which is very much overdue.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is the Law Member seconding the introduction?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Mr. K. Madhavan Pillai has seconded it.

And the second paragraph of the Statement says as follows:—

"Though this measure is meant primarily for the Kshatriya community, Government are empowered to extend its application duly to other similarly placed Marumakkatayee communities."

Thus, the House will see, that the principles involved in this Bill are firstly the enactment of some law relating to marriage, succession

and maintenace and tarwad management of the Kshatriyas and secondly, the extension of that law to other Marumakkatayee communities. Now, Sir, if you look into the Bill of Mr. Raja Raja Varma Koil Tampuran, you will find, that practically the same principles are embodied there also. In that Bill also, you find, that proposals are made for a law relating to marriage, succession and maintenance. That also contains a provision, that, the law enacted may be extended to other Marumakkatayee communities. And so, if the House accepts the principles of *this* Bill, a considerable portion, if not the entire portion, of the other Bill also would have received a judgment of the House. I am pointing this out to the House because if Mr. Revati Nal Raja's Bill is accepted, a point of order or question may arise, whether the House can discuss the other Bill namely, that of Mr. Raja Raja Varma's Marumakkatayee's Bill.

DEPUTY PRESIDENT : Are you for affirming the principle of this Bill, or, are you for opposing the principle of this Bill at this stage?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I am not opposing. If this Bill is going to be accepted, there will arise, it seems to me, a point of order, whether, the other Bill can be introduced. I am suggesting, Sir, that perhaps both the Bills may be taken up for discussion and the vote of the House may be taken upon them in such a way that, one Bill alone will go to the Select Committee. That will be a convenient arrangement.

DEPUTY PRESIDENT : Let us proceed with the discussion of Mr. Revati Nal Raja's Bill. Once the principle of this Bill is accepted, the House will, we may presume, support the principle of the Minority Marumakkatayam Bill when that is introduced.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The House must be apprised of the merits and demerits of both the Bills.

DEPUTY PRESIDENT : You may take it that copies of both the Bills have been circulated and read by the members. The principles are identical and the House is for affirming the principles embodied in this Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I merely suggest for your consideration whether the mover of each Bill may not be asked to explain his position to the House?

DEPUTY PRESIDENT : Under what Standing Order, please?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : When there are two Bills before the House, it is open to the Chairman to have both the Bills discussed and votes taken separately.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): എനിക്ക അതി
നെപ്പററി രണ്ടുവാക്ക പറയാനുണ്ട്.

DEPUTY PRESIDENT : I will allow you to speak later on.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : If he has got anything to show against this I myself may be prepared to change my view,

DEPUTY PRESIDENT: Don't insist for any ruling, please. You may make a passing reference to the provisions of the other Bill in the course of the present discussion.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May not both the Bills be discussed and then the vote of the House taken?

DEPUTY PRESIDENT: Under what provision of law?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): There is no specific provision, so far as I can think of at present.

DEPUTY PRESIDENT: I am not inclined to allow that. In view of the practical advantages to be secured by discussing them together as suggested by Mr. Kayalam Paramesvaran Pillai I will allow the members, while discussing this Bill, to make a reference to similar provisions of the other Bill as well. You cannot have two Bills before the House at the same time. We will continue the discussion of the principle of this Bill. If, as you say, the principles are identical then there is no difficulty at all. In the course of the discussion, Mr. Raja Raja Varma, it is open to you to suggest by way of improvement of the Kshatriya Bill, the provisions which you have incorporated in your Minority Marumakkatayam Bill. At present we will confine ourselves to the provisions of the Kshatriya Bill now before the House.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): Before I begin to offer my remarks regarding the present Bill, I would like to clear certain doubts.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Standing Order No. 21 says: "Where substantially identical motions stand in the names of two or more members, the President shall decide whose motion shall be moved and the other motion shall thereupon be deemed to be withdrawn".

DEPUTY PRESIDENT: The real difficulty is, you cannot say that they are identical, Mr. Paramesvaran Pillai.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): സർ, ഇതിനെ സംബന്ധിച്ചു എന്തെങ്കിലും പറയുന്നതിനു മുമ്പായി ചില കാര്യങ്ങളിൽ ഞാൻ പ്രസിഡണ്ടിന്റെ ശ്രദ്ധയെ ക്ഷണിച്ചുകൊള്ളുന്നു. ഈ ബില്ലിൽ രണ്ടു മൂന്നു പ്രത്യേകകാര്യങ്ങൾ വരുന്നുണ്ട്. കൌൺസിലിന്റെ അധികാരം അവയെ സംബന്ധിച്ചു എത്രയുണ്ടെന്നു എനിക്കറിഞ്ഞുകൂടാ.

DEPUTY PRESIDENT: പറഞ്ഞുകൊള്ളുക. കൌൺസിലിന്റെ അധികാരസീമയിൽ കവിയുകയാണെങ്കിൽ അപ്പോൾ തടഞ്ഞുകൊള്ളാം.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): പ്രിയാംബിളിൽ Excluding the Royal family എന്നു

പറയുന്നുണ്ട്. റായൽഫാമിലിയെ include ചെയ്യാൻപറയാൻ ഈ കൌൺസിലിനധികാരമുണ്ടോ? അതിനെപ്പററി എന്തെങ്കിലും പറയാമോ?

DEPUTY PRESIDENT: My answer with reference to that specific objection is that the Legislative Council Regulation takes away from the purview of the Council questions affecting the members of the Royal house.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ഡിസ്സൊലൂഷനിൽ കസ്റ്റം ആൻറമാനേജ്സിനെപ്പററി പറയേണ്ടിവരും. അതു പറയാമോ?

DEPUTY PRESIDENT: പറയാം. വിരോധമില്ല.

MR. L R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*: പെൻഷൻ മുതലായ സംഗതികളും ഈ കൌൺസിലിൽ നിന്നും ഒഴിച്ചിട്ടുള്ളതാണ്. അതിനെപ്പററി പറയാമോ?

DEP TY PRESIDENT: That is also outside the jurisdiction of the Council. You Cannot interfere with the restrictions in the Legislative Council Regulation.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): കൌൺസിൽ റെഗുലേഷനിൽ തടഞ്ഞിട്ടുള്ള ചില സംഗതികൾ ഗവൺമെൻറിൻെറ അനുവാദത്തോടു കൂടി പറയാമെന്നുണ്ട്.

DEPUTY PRESIDENT: ഏതാണെന്നു ഞാൻ നോക്കട്ടെ.

There is no difficulty about pensions under the Legislative Council Regulation. You can refer to that. The other two questions relating to the Ruling family are expressly excluded. What was your other difficulty?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): Kandukrishi lands പാർട്ടീഷനെ സംബന്ധിച്ചുള്ള ഭാഗം വരുമ്പോൾ കണ്ടുകൃഷി വസ്തുക്കളെപ്പററി സംസാരിക്കേണ്ടിവരും.

DEPUTY PRESIDENT; That is controlled by a distinct Proclamation. The Civil Procedure Code makes the necessary provision relating to Kandukrishi lands. What is the difficulty? We are in the stage of settling once for all the properties liable for partition. Why do you go into the question of Kandukrishi lands now? The Council will rest satisfied with saying that for the purpose of partition it is joint family property. We need not specify what the joint family properties are. If Kandukrishi lands cannot be joint family property the Court will say that. However that has nothing to do with the principle of the Bill now before the Council. Pass on.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ഈ ബിൽ ഇവിടെ അവതരിപ്പിച്ചിട്ടുള്ള മെമ്പർതന്നെ ഇതിനെ സംബന്ധിച്ചു ഇവിടെ പറഞ്ഞതു, അദ്ദേഹവും അദ്ദേഹത്തി

[Mr. L. R. Raja Raja Varma Koiltampuran.]

ൻെറ സ്നേഹിതന്മാരിൽ ഏതാനുംപേരും ഈ ബില്ലിനെ അനുകൂലിക്കുന്നുണ്ടെന്നും വേറെ ഉൽപതിഷ്ണുക്കളായിട്ടും മററുമുള്ളവരിൽ ചിലർ ഇതിനോടു യോജിക്കുന്നില്ലെന്നുമാണ്. അദ്ദേഹത്തിൻെറ ബില്ലിനോടു യോജിക്കുന്നവരാണു സമുദായത്തിൽ അധികംപേരും എന്നുതോന്നുന്നില്ല.

DEPUTY PRESIDENT: Do I understand that you are opposing the Bill?

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery cum Peermade*); I am supporting it subject to certain conditions to be brought in there. Some new provisions and some alterations are necessary. അതായിരിക്കുമെല്ലോ പ്രിൻസിപ്പിൾ ഡിസ്കസ് ചെയ്യുക എന്നു പറയുമ്പോൾ ഉദ്ദേശിക്കുന്നതു്. ക്ഷത്രിയരുടെഇടയിലുള്ള ഭാഗത്തെ സംബന്ധിച്ചു് ഈ ബില്ലിൽ ചേക്കാതെയിരിക്കയും അതാവശ്യമില്ലെന്നു് അദ്ദേഹം പറയുകയും ചെയ്തിട്ടുണ്ടു്. പാർട്ടിഷൻ സംബന്ധിച്ചു് ഒരു അദ്ധ്യായം ചേക്കണമെന്നാണു് എൻെറ അഭിപ്രായം. ഇപ്പോൾ ഞാൻ ഇതു പറഞ്ഞില്ലെങ്കിൽ ഈ ബിൽ സിലക്റ്റ്കമ്മിററിയിൽ എടുക്കുമ്പോൾ പാർട്ടിഷനെ സംബന്ധിച്ചുള്ള ക്ലാസസ് മൂലബില്ലിൽ ഇല്ലാത്തതുകൊണ്ടു പിന്നീടു് അതു സെക്കൻറു റീഡിങ്ങിൽ ചേക്കാൻ പാടില്ലെന്നു സാങ്കേതികതടസ്സം പറഞ്ഞേക്കാം. ഇന്നലെ ഇതുപോലെ ഒരു സന്ദർഭത്തിൽ ഞാൻ പെർട്ടിനൻറായ ഒരു ചോദ്യം ചോദിച്ചപ്പോൾ ചില സംഗതികൾ അവിടെ ആലോചിക്കാൻ അവകാശമില്ലെന്നു പറഞ്ഞു. അതുകൊണ്ടു് അങ്ങിനെ ഒരുവൈഷമ്യം വരാതിരിക്കാനാണു ഞാൻ ഈ വാദം ഇപ്പോൾതന്നെ പുറപ്പെടുവിക്കുന്നതു്.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): എൻെറ പ്രസംഗത്തിൽ അങ്ങനെ ആവശ്യപ്പെടുന്നുവെങ്കിൽ ചേക്കാൻവിരോധമില്ലെന്നു പറഞ്ഞിട്ടുള്ളതായിട്ടറിയാമോ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): മെംബക്കുതന്നെ പാർട്ടിഷനെ സംബന്ധിച്ചു് അനുകൂല അഭിപ്രായമുള്ളതായിട്ടു് എനിക്കറിയാം. മെമ്പർ പ്രതിനിധീകരിക്കുന്നവരുടെ അഭിപ്രായം അതിനു വിപരീതമായതുകൊണ്ടാണു ആ ഭാഗം ചേക്കാത്തതു എന്നു ഞാൻ വിചാരിക്കുന്നു. സെക്കൻറുറീഡിങ്ങിൽ ഇതു കൊണ്ടുവരാൻ പാടില്ലെന്നു തടസ്ഥം വരാതെയിരിക്കാനായി ഞാൻ ഇപ്പോൾ പറയുകയാണു് ഇതു്.

DEPUTY PRESIDENT: So a special mandate must be given to the Select Committee to go into that question of partition as well?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): Yes, Sir, ബോൾഷേവിക്ക തത്വം അവലംബിച്ചു പാർട്ടീഷൻ പാടില്ലെന്നു അവതാരകൻ പറയുന്ന വാദം നമുക്കിവിടെ ആലോചനയ്ക്കു ആവശ്യമില്ല. പാർട്ടീഷനെപ്പററി വലിയ തർക്കം ഉണ്ടാകുമെന്നും തോന്നുന്നില്ല ആളോഹരിയോ തായ്‌വഴിയൊ ഏതാണു വേണ്ടതെന്നു വാദം മാത്രമെ ഉണ്ടാകാൻ തരമൊള്ളു.

MR. K. MADHAVAN PILLAI (*Triavandrum* cum *Neduvangud*): ഭാഗം വേണ്ട എന്നുപറയാൻ മററുവല്ല പ്രത്യേക കാരണങ്ങളും ഉണ്ടോ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): മററു പ്രത്യേകകാരണമൊന്നുമുള്ളതായി തോന്നുന്നില്ല. ഏതാനും കാലത്തിനു മുമ്പുവരെ സമുദായം നല്ല സ്ഥാനത്താണ് ഇരുന്നിരുന്നതു്. ഇപ്പോൾ ഏതാണ്ടു അധഃപതിച്ചുപോയിട്ടുണ്ടു്. അതിനു കാരണം പാർട്ടീഷൻ ഇല്ലാത്തതുകൊണ്ടാണു എന്നാണ് എന്റെ അഭിപ്രായം.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): വിവാഹത്തെ സംബന്ധിച്ചു വേണ്ട വ്യവസ്ഥകൾ വന്നശേഷമെ ഭാഗം ആകാവു എന്നു ബിൽപ്രയോക്താവു പറഞ്ഞിട്ടുള്ളതായി അറിയാമൊ?

DEPUTY PRESIDENT: Mr. Madhavan Pillai, you must address the question through the Chair so that we also shall have the benefit of hearing you.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): I am addressing the question to the Chair. Only I turn to him.

DEPUTY PRESIDENT: Let us also have the benefit of it.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): വിവാഹം സ്വസമുദായത്തിൽ മാത്രമേ പാടൊള്ളു എന്നു പറയുന്നതു സമുദായത്തിനു കുറെക്കൂടി വിപുലത ഉണ്ടാക്കിയശേഷമല്ലാതെ സാധിക്കുമെന്നു തോന്നുന്നില്ല. എന്നാൽതന്നെയും അതു വേണ്ടതാണെന്നും ഞാൻ വിചാരിക്കുന്നില്ല. ഇപ്പോഴത്തെ സെൻസസ്സിൽ ക്ഷത്രിയരുടെ സംഖ്യ കുറെക്കൂടിയിട്ടുണ്ടെങ്കിലും—അതു കഴിഞ്ഞ തവണ മററു വിഭാഗങ്ങളിൽ ഉൾപ്പെട്ട ചിലർക്കൂടി ഇപ്പോൾ ക്ഷത്രിയരായി തീൎന്നതുകൊണ്ടാണ്—ആ സമുദായങ്ങളെ മററു സാമുദായികബില്ലിൽ ഉൾപ്പെടുത്താൻ സാധിക്കുകയില്ല. സജാതീയ വിവാഹം നടപ്പാക്കിയ ശേഷം മാത്രമേ ഭാഗം സ്വീകരിക്കാൻ പാടൊള്ളു എന്നു പറയുന്നതു ശരിയല്ല. സ്വസമുദായത്തിനു കൂടുതൽഗുണം ഉണ്ടാക്കുന്നതുനല്ലതാണെങ്കിലും അതു

[Mr. L. R. Raja Raja Varma koiltampuran.]

നിമിത്തം ബാക്കി ഉള്ളവർക്ക് ഉപദ്രവം ഉണ്ടാക്കിത്തീർക്കുന്നതു ന്യായമല്ലല്ലോ. ഞാൻ മൈനാറിട്ടി മരുമക്കത്തായം ബില്ലിൽ ചേർത്തിട്ടുള്ള പലഭാഗങ്ങളും ഭാഗത്തെ സംബന്ധിച്ച അദ്ധ്യായവും ഇതിൽ വരുത്തണമെന്നു ഉദ്ദേശിക്കുന്നുണ്ട്. എന്നാൽ അതിൽ ജാതി വ്യത്യാസത്തെ സംബന്ധിച്ചിടത്തോളം ഇതു ഉപദ്രവം ഉണ്ടാക്കിയിട്ടില്ല. പുരുഷനും സ്ത്രീയ്ക്കും ജനനാൽഉള്ള ജാതിവ്യത്യാസമല്ലാതെ വേറെ യാതൊരു വ്യത്യാസവും ഞാൻ അതിൽ കാണിച്ചിട്ടില്ല.

ഈ ബില്ലിൻെറ പ്രിയാംബിളിൽ തന്നെ ഈ രണ്ടു മൂന്നു സംഗതികൾകൂടി കൂട്ടിച്ചേർക്കണമെന്നാണ് എൻെറ അഭിപ്രായം. താൽക്കാലികമായി ഭാഗംകൊണ്ടു സമുദായത്തിനു വലിയ ദോഷമുണ്ടെന്നു വിചാരിക്കുന്നപക്ഷം കുടിവയ്പ്പ് എന്ന് അമ്പലവാസികളുടെ ഇടയിലുള്ള ഒരു പതിവു എങ്കിലും ഏർപ്പെടുത്തണം. കുടിവയ്പിനെപ്പററി ഇവിടെ പറഞ്ഞു മനസ്സിലാക്കേണ്ട ആവശ്യമുണ്ടെന്നു ഞാൻ വിചാരിക്കുന്നു. അതിലേക്കു ഒരു ഡെഫനിഷൻ എഴുതിയിരിക്കുന്നതു് ഇങ്ങനെയാണ്.

"Kudivaippu" means the affiliation of the wife or wife and their children by the husband or of the husband by the wife to his or her own tarawad.

അതായതു്, ഭർത്താവിൻെറ ഗൃഹത്തിലേക്കു ഭാര്യയേയും കുട്ടികളേയും കൂട്ടിച്ചേർത്തു അവിടത്തെ അംഗങ്ങളാക്കിത്തീർക്കുകയോ ഭർത്താവിനെ ഭാര്യയുടെ കുടുംബത്തിലെ അംഗമാക്കിത്തീർക്കുകയോ ആണ്. കുടിവയ്പുമൂലം ആ കുടുംബത്തിലെ അംഗങ്ങൾക്കുള്ള തുല്യാവകാശം ഇവർക്കും കിട്ടും.

DEPUTY PRESIDENT: ഭാര്യയും ഭർത്താവും ഒരേ ജാതിയിലായിരുന്നാലല്ലേ അങ്ങിനെ ചെയ്യൂ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ജാതിയെ സംബന്ധിച്ചും വിവാഹത്തെ സംബന്ധിച്ചു ഞാൻ പറയുന്നുണ്ട്.

MR. A. THANU PILLAI (*Trivandrum*): അങ്ങിനെ സമുദായത്തിൽ പതിവുണ്ടോ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ക്ഷത്രിയസമുദായത്തിലില്ല. അമ്പലവാസികളുടെയിടയിൽ ഉണ്ട്. അതാവശ്യമുള്ളതാണെന്ന് എനിക്കു തോന്നി, ഇതു നഷ്ടപ്പെട്ടുള്ള സമുദായങ്ങളും ഉണ്ട്, അതുകൊണ്ടു ഇതിൽ ചേർക്കാമെന്നു ഞാൻ

വിചാരിച്ചതാണ്. ഈ ബിൽ തന്നെ കൂട്ടുകുടുംബരീതിയിൽ പല വ്യത്യാസങ്ങളും വരുത്തുന്നുണ്ട്. അക്കൂട്ടത്തിൽ ഇതുമാത്രം പാടില്ല എന്നു പറയുകയാണെങ്കിൽ ഉപേക്ഷിച്ചേയ്ക്കാം.

കുടിവയ്പ് അമ്പലവാസികളുടെയിടയിലുള്ളതു് ഒരു മതാചാരംപോലെ മാത്രമാണ്. എന്നാൽ ഞാൻ അതു രജിസ്റ്റർ ചെയ്യണമെന്നുകൂടി നിർബന്ധിച്ച് ഒരു Civil right ആക്കി. കൂടാതെ വിവാഹസമയത്തോ വിവാഹം കഴിഞ്ഞ ശേഷം ഏതെങ്കിലും ഒരവസരത്തിലോ കുടിവയ്പു നടത്താമെന്നു ഒരു ക്ലാസ്കൂടി ഇതിൽ ചേർക്കണം.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*): കുടിവയ്പു ദത്തു എടുക്കുന്ന മാതിരിയാണോ, അതല്ല വല്ല സെറിമണിയും കൂടി ഉണ്ടോ?

DEPUTY PRESIDENT: I do not know the details of the ceremony myself. I know that among the Variars a man affiliates his wife and children in the family so that they become a distinct stock of the taravad. That is to say, the wife and children get one-half and the sister the other half.

MR. A. THANU PILLAI (*Trivandrum*): ഭർത്താവിന്റെ കുടുംബത്തിൽ ഭാര്യയേയും കുഞ്ഞുങ്ങളേയും അംഗങ്ങളാക്കുക എന്നല്ലേ? അതായതു മക്കവഴിക്കാരുടെ ഇടയിൽ നടക്കുന്ന വിവാഹസമ്പ്രദായം പോലെ നടത്തുക.

DEPUTY PRESIDENT: അതു പറയാം.

It is not an ordinary adoption as in the Marumakkatayam taravad. This affiliation amongst Variars is different from the adoption you think of among the Nayar community. When they are adopted they become members of the family; they have every right as members of the family, neither more nor less than others. In this case the affiliated wife becomes a distinct stock of the family and her children also become members of the family. So that it is a Makkatayam family in a Marumakkatayam taravad. It is peculiar in the Variar community. But it is unknown in any other community.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Do the children become the members of the taravad with full rights?

DEPUTY PRESIDENT: Yes.

MR. A. THANU PILLAI (*Trivandrum*): കുടിവയ്പുകൊണ്ടു വിവാഹം നടത്തിയ ആളിന്റെ ശേഷക്കാരും മക്കളും ഒരു കുടുംബക്കാരാകും അല്ലേ?

DEPUTY PRESIDENT: ഒരു കുടുംബക്കാരാകും. എന്നാൽ മരുമക്കത്തായികൾക്കു ഭാഗം ചോദിക്കാൻ അവകാശമില്ല. മക്കത്തായികൾക്കു അതു ചോദിക്കാൻ അവകാശമുണ്ടു്.

[Deputy President.]

It is an anomaly. But it is still an old old institution sanctioned by usage among the Variar community in Travancore. That is the only community following that.

Mr. Raja Raja Varma proposes to introduce that form of affiliation in the Kshatriya and other minority marumakkatayam communities. Is that your idea?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): Yes.

MR. MURUVELIL PACHU PILLAI (*Shertallai*): കുടിവയ്പു കഴിഞ്ഞു ആ സ്ത്രീയുടെ വയസ്സും നംപൂതിരി കുടുംബങ്ങളെപ്പോലെ മാറുമോ?

DEPUTY PRESIDENT: She can claim partition. നംപൂരി ഫാമിലി പോലെ വരികയില്ല.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): കുടിവയ്പു രണ്ടു മൂന്നു തരത്തിലുണ്ടു്. അതിൽ പ്രസിഡന്റു പറഞ്ഞതു് ഒരു തരമാണു. കുടിവയ്പു കഴിഞ്ഞാൽ ശരിയായ ഓഹരി മററംഗങ്ങളെ പോലെ ഭാര്യക്കും മക്കൾക്കും കിട്ടുമോ എന്നു ഒരു സംശയം ലാ മെമ്പർ ചോദിച്ചു.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ഭാഗം വേണ്ടെന്നു വയ്ക്കുന്നതു് ഇപ്പോഴത്തെ കാലസ്ഥിതിക്കു യോജിച്ചതാണോ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): പാർട്ടിഷൻകൊടുക്കാതെയിരിക്കുന്നതു അശേഷം ശരിയല്ല. അങ്ങിനെ പാർട്ടിഷൻ കൊടുക്കാതെയിരിക്കണമെന്നുണ്ടെങ്കിൽ നായർ റഗുലേഷനിൽ impartible estate ആക്കി ഒഴിയുന്നതിനുള്ള പ്രതിവിധി പോലെ ഒഴിയാൻ മാർഗ്ഗം വച്ചുകൊള്ളണം.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): അനേകം അംഗങ്ങളുള്ള ഒരു കുടുംബത്തിൽ അവരുടെ അവകാശത്തിലും ഒരു ഭാഗം കുടിവയ്പുനടത്തുന്ന ആളിനു കൊടുക്കത്തക്കവണ്ണം ഒരു നിയമം ഉണ്ടാകണമെന്നാണൊ അഭിപ്രായം?

DEPUTY PRESIDENT. എന്നാണു് ഇംപ്ലിക്കേഷൻ.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): കോയിത്തമ്പുരാന്റെ ബില്ലിൽനിന്നും ക്ഷത്രിയരെ ഒഴിക്കുന്നതു സമ്മതമാണൊ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): അതു് ഈ ബിൽ പാസാകുന്ന അവസ്ഥപോലെയിരിക്കും. ഞാൻ കൊണ്ടുവരുന്ന അമെൻറുമെൻറു ചേർത്തു പാസാകുന്ന പക്ഷം എനിക്കു ഏതിനും വിരോധമില്ല.

DEPUTY PRESIDENT: So I cannot arbitrarily rule that any one of these Bills may be taken.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is why I suggested, Sir, that both the Bills be taken up together.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): സമുദായത്തിലുള്ള ഭൂരിപക്ഷക്കാരും ഭാഗത്തിന് ആവശ്യപ്പെടുന്നവരാണോ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ഒരു വലിയ ഭൂരിപക്ഷവും ഭാഗത്തിനു ആവശ്യപ്പെടുന്നവരാണെന്നാണ് എന്റെ ബോദ്ധ്യം.

DEPUTY PRESIDENT: I suppose it will be safer to allow partition rather than affiliation?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): Certainly, I will prefer partition to affiliation. നിവൃത്തിയില്ലാതെവരുന്ന സന്ദർഭത്തിൽ മാത്രമെ കുടിവയ്പിനെപ്പററി ഞാൻ വാദിക്കുന്നൊള്ളു. ചില കുടുംബക്കാൎക്കു ഭാഗം ഏല്പെടുത്താൻ വയ്യാതിരിക്കത്തക്കവണ്ണം ചില അസൌകൎയ്യങ്ങളുണ്ടു്. ഇടവകക്കാരുണ്ടു്. അവൎക്കു ഭാഗം കൊടുക്കാൻ നിവൃത്തിയില്ല. അവൎക്കു കുടിവയ്പേ സാധിക്കയൊള്ളു.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): അതിനുപകരം അഡാപ്ഷൻപോരെ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): അതിൽ പല അഭിപ്രായവ്യത്യാസവും ഉണ്ടു്. നായർറഗുലേഷൻ പാസായകാലത്തു് ഇതിനെപ്പററി ആലോചിച്ചു് ഒടുവിൽ അതു വേണ്ട എന്നു വച്ചു. അന്നു വേണ്ട എന്നുവച്ചതിനുകാരണം ദത്തെടുക്കുന്ന സംഗതിയിൽ ബ്രാഹ്മണരും ക്ഷത്രിയരും ഒഴികെ ബാക്കിയുള്ള സമുദായക്കാർ ഗവൺമെൻറിന് ഒരു ഓഹരി കൊടുക്കണമെന്നുള്ള പതിവു കൊണ്ടാണു്. ഇപ്പോഴത്തെ സ്ഥിതിക്കും കുടിവയ്പും "വിൽ" കൊടുക്കാനുള്ള അധികാരവും ഉള്ളപക്ഷം അതുമതി. ദത്തിന്റെ ആവശ്യമില്ല.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ആളോഹരി ഭാഗം വേണൊ, താവഴിഭാഗം വേണൊ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ആളോഹരിഭാഗംതന്നെയാണു വേണ്ടതു്. എന്നാൽ ഗർഭത്തിലിരിക്കുന്ന ശിശുവിന് അവകാശമില്ല. ഇതിനെസംബന്ധിച്ചു നായർബില്ല് പാസായകാലത്തു് മി. എസ്. കൃഷ്ണയ്യരുടെ ഒരു അമെൻറു മെൻറുണ്ടായിരിക്കയും അതിന്മേൽ വലിയ തൎക്കം നടക്കുകയുംചെയ്തു.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ആളോഹരിഭാഗവും കുടിവയപ്പും രണ്ടും വേണമെന്നു നിർബന്ധമുണ്ടോ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): രണ്ടുംവേണ്ട. ഏതെങ്കിലും ഒന്നുമതി എന്നാണ് ഞാൻ പറഞ്ഞതു്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): കുടിവയ്പിൽ ഭാര്യയും ഭർത്താവും ഒരു സമുദായമായിരിക്കണമെന്നുണ്ടോ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): Endogamy-യേയും exogamy-യേയും പററി നിശ്ചയിക്കുന്നതിനുള്ള അധികാരം സമുദായത്തിനുതന്നെ ഉണ്ടായിരിക്കണം. അതു് ഒരു അന്ന്യന്മാരിക്കലും കൊടുക്കാൻപാടില്ല.

DEPUTY PRESIDENT: Marriage is something distinct from the incidence of affiliation. Mr. Kayalam Paramesvaran Pillai's question was, when you propose to consider the question of affiliation and bring strangers to the tarwad and make them all members of the tarwad are they to be of different sections of the community. For instance, would yon care to affiliate a Nayar wife in a Kshatriya tarwad?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): That will depend upon the conception of strangers. സ്റ്റ്രെയിൻജേർസ് ആരെല്ലാമാണ് എന്നുള്ള ചോദ്യംവരുമ്പോഴാണ് ഇതൊക്കെ ആലോചിക്കേണ്ടതു്.

DEPUTY PRESIDENT: So long as you seem to emphasise the caste of the Kshatriyas, the question that is put to you is, would you allow the affiliation of any lady other than a Kshatriya lady. So that we may realise the consequence of your suggestion, just answer that question. Will you propose affiliation in a Kshatriya family of a non-kshatriya lady and her children? The marriage may be perfectly legal but that has nothing to do with the affiliation.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): എന്റെ സ്വാഭിപ്രായം ആരായാലും വിരോധമില്ല എന്നാണ്. സമുദായത്തിനും അതു ഹിതമാണെങ്കിൽ ചേക്കാം.

DEPUTY PRESIDENT: Do you want the Council then to ascertain the sense of the community?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): Rules of exogamy and endogamy തീരുമാനിക്കാനുള്ള അവകാശത്തെപ്പററി കൌൺസിലിൽനിന്നും നിശ്ചയിക്കാം.

DEPUTY PRESIDENT: Even now, according to the suggestion that you dropped a little while ago, for some decades to come you cannot confine the marriages of members of your community to your community alone. I believe you admit that. You have to marry outside your community.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): We may have.

DEPUTY PRESIDENT: I mean you don't declare it illegal. When such a marriage takes place, it is a valid marriage for all purposes. Suppose that is a marriage with a Nayar or a Variar lady or any other lady belonging to a community with whom marriage is allowed, will you allow her along with her children to be affiliated into the Kshatriya family? Do you contemplate that? That is the question. It is only Kshatriya members that can ask for partition. When that claim is rejected by the family, you want the interposition of an affiliated branch. The question then arises whether they will go to the same caste as Kshatriyas.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): നാൺ ക്ഷത്രിയരായിട്ടു അവർ എക്സിസ്റ്റ് ചെയ്യുമൊ എന്ന സംശയംകൊണ്ടാണു ഞാൻ ഉത്തരംപറയാതിരിക്കുന്നതു്. അവർ ക്ഷത്രിയരായിട്ടു തീരുമെന്നാണു ഞാൻ വിചാരിക്കുന്നതു്.

DEPUTY PRESIDENT: By affiliation they become Kshatriyas. So according to you, any lady with whom marriage is permitted by the Bill must be competent to be affiliated in the Kshatriya family?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): Permitted by the Society.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): അപ്പോൾ ആക്കം ക്ഷത്രിയരാകാൻ സാധിക്കുമല്ലൊ.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): നിശ്ചയമായിട്ടും അങ്ങിനെവേണമെന്നാണു് എന്റെ അഭിപ്രായം.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): ഇങ്ങിനെ അഫിലിയേഷൻ വേണമെന്നു പറയുന്നതു്, ഭർത്താവു് മരിച്ചുപോയാൽ ഭാര്യക്കും കുഞ്ഞുങ്ങൾക്കും ചിലവിനുകിട്ടാൻ നിവൃത്തിയില്ലാതെ വന്നാലൊ എന്നവിചാരംകൊണ്ടാണൊ?

DEPUTY PRESIDENT: അല്ല. He is not referring to the females. He refers to the rights of the male members of the family.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): ഒരു പുരുഷന്റെ ഭാര്യക്കും മക്കൾക്കും ചിലവിനു് ആവശ്യമുള്ളതു തറവാട്ടിൽ നിന്നും എന്റെബിൽ അനുസരിച്ചുകൊടുക്കുന്നില്ല. അങ്ങിനെ ചിലവിനുകൊടുക്കത്തക്കവണ്ണമുള്ള പ്രൊവിഷൻ ഈ ബില്ലിൽ ചേർത്താൽ. പിന്നീടു അഫിലിയേഷന്റെ ആവശ്യമുണ്ടൊ?

DEPUTY PRESIDENT: I only wanted to understand his position. We are not discussing the propriety of his suggestion.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): I will answer him.

ഞാൻ ആലോചിച്ചതിൽ സാധാരണ ഇപ്പോഴത്തെ നിലയ്ക്കു അങ്ങിനെ ഒരു പ്രൊവിഷൻകൊണ്ടു സാധിക്കുകയില്ല. ഒരു കുടുംബത്തിലെ സ്വത്ത് ഇവരെതോല്പിച്ചുകാരണവൻ എത്രതന്നെ നശിപ്പിക്കാൻ ശ്രമിച്ചാലും അഫിലിയേഷൻ ഉള്ളപക്ഷം അതു സാധിക്കയില്ല. ഒരു കുടുംബത്തിൽഒരു ജ്യേഷ്ഠനും അനുജനും മാത്രമേയൊള്ളു എന്നിരിക്കട്ടെ. അതിൽ അനുജൻ മരിച്ചുപോയി. ജ്യേഷ്ഠൻ ജീവിച്ചിരിപ്പുണ്ട്. അങ്ങിനെ വരുമ്പോൾ കുടുംബസ്വത്തു ജ്യേഷ്ഠനു നശിപ്പിക്കാൻ സാധിക്കും. ചിലവിനുകൊടുക്കാൻ വ്യവസ്ഥചെയ്യാമെന്നല്ലാതെ കുടുംബസ്വത്ത് ഇന്നയിന്നതരത്തിൽ ഭരിക്കണമെന്നു വ്യവസ്ഥചെയ്യാൻ സാധിക്കുകയില്ല. എന്നാൽ അഫിലിയേഷൻ വരുമ്പോൾ അവക്കു കുടുംബത്തിലെ ശരിയായ അംഗാവകാശം കിട്ടുന്നു. കാരണവൻ സ്വത്തു നശിപ്പിച്ചാൽ ചോദിക്കാനുള്ള അവകാശമുണ്ട്. ഇതൊക്കെ ഈ ബില്ലിൽ മററുപ്രകാരത്തിൽ ചേക്കുന്ന പ്രൊവിഷൻകൊണ്ടു പ്രയാസമാണ്.

DEPUTY PRESIDENT: കുടിവയ്പ് കാരണവന്റെ അക്രമപ്രവൃത്തികളെ തടക്കാൻ ഒരായുധമായിരിക്കുമെന്നുദ്ദേശിച്ചല്ലെ നിങ്ങൾ അതു വേണമെന്നു പറയുന്നതു്. കുടുംബത്തിൽ ജനിച്ച അംഗങ്ങൾക്കുതന്നെ അതു സാധിക്കുകയില്ലെങ്കിൽ അന്യകുടുംബത്തിലുള്ളവക്ക് എങ്ങിനെ സാധിക്കും?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): കുടുംബത്തിൽജനിച്ച മററംഗങ്ങൾ ഇല്ലാതെവരുന്ന സന്ദർഭത്തിലാണ ഞാൻ പറഞ്ഞതു്.

DEPUTY PRESIDENT: അപ്പോൾ അങ്ങിനെയുള്ള സ്ഥലത്തുമാത്രം അഫിലിയേഷൻ മതിയൊ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): പോരാ.

DEPUTY PRESIDENT: അനവധി അംഗങ്ങളുള്ള ഒരു കുടുംബത്തിൽ കാരണവൻ തോന്ന്യാസമായിട്ടു പ്രവൎത്തിക്കയാണെങ്കിലൊ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): അതിലേക്കുവേണ്ട provisions ഈ ബില്ലിൽതന്നെഉണ്ട്

DEPUTY PRESIDENT : കാരണവന്റെ അക്രമപ്രവൃത്തികളെ തടയാൻ കുടിവയ്പു നന്നായിരിക്കുമെന്നു നിങ്ങൾ പറയുകയുണ്ടായി. അന്യകുടുംബത്തിലെ ഒരാൾ ഈ കുടുംബത്തിലെ അംഗമാകുമ്പോൾ കാരണവന്റെ അക്രമപ്രവൃത്തികൾ നിന്നുപോകും എന്നാണൊ വിചാരിക്കേണ്ടതു്?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ധാരാളം അംഗങ്ങൾ തടയാൻ ഉണ്ടായിരുന്നാൽ കാരണവന്നു തോന്ന്യാസം കാണിക്കാൻ നിവൃത്തിയില്ലല്ലോ.

DEPUTY PRESIDENT : ആളോഹരിഭാഗം അനുവദിക്കുകയാണെങ്കിൽ ഈ കുടിവയ്പിന്റെ ആവശ്യമുണ്ടോ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ആളോഹരിഭാഗം ആവശ്യമില്ലാ എന്നു പറയുന്നടത്തു മാത്രം ഇതു മതി.

MR. V. CHELLAM PILLAI (*Tovala*): ഒരു കുടുംബത്തിൽ പത്തു് അംഗങ്ങൾ ഉണ്ടെന്നുവിചാരിക്കുക. അതിൽ ഒരാൾ കുടിവയ്പു് നടത്തുമ്പോൾ ഈ പത്തുപേരുടെ അവകാശത്തിലും ഓരോവീതം ഈ പുത്തനായിട്ടുവന്ന അംഗത്തിനു കൊടുക്കേണ്ടതല്ലെ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): വേണം.

MR. V. CHELLAM PILLAI (*Tovala*): ഒരു കുടുംബത്തിൽ ഒരു പുരുഷന്നു് ഒരവകാശമേഉള്ളു. കുടിവയ്പുനടത്തുമ്പോൾ ആ പുരുഷനു കുടുംബത്തിൽ കൂടുതൽ അവകാശം സിദ്ധിക്കുന്നില്ലെ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ഒരു സ്ത്രീക്കു് ഒരു കുടുംബത്തിൽ ഉള്ള അവകാശത്തെക്കാൾ കൂടുതൽ അവകാശം ആ സ്ത്രീ പ്രസവിക്കുമ്പോൾ കൊടുക്കേണ്ടിവരുമല്ലൊ?

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ഒരു കുടുംബത്തിൽ എത്ര കുടിവയ്പു് നടത്താമെന്നു വല്ല വ്യവസ്ഥയും ഉണ്ടോ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ആ കുടുംബത്തിൽ എത്ര പുരുഷന്മാർ ഉണ്ടോ അത്രയും കുടിവയ്പു് നടത്താം.

DEPUTY PRESIDENT: ഒരു ഭാര്യയെ കുടിവയ്ക്കാനുള്ള അവകാശം ഒരു പുരുഷനുണ്ടു്.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ഈ സമ്പ്രദായം സ്വീകരിച്ചാൽതന്നെയും ഈ ബിൽ അനുസരിച്ചു ഭാര്യയ്ക്കു ശരിയായ അവകാശം കിട്ടുമൊ?

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): ആ കുടുംബത്തിലെ പൂൎണ്ണ അവകാശം കിട്ടും.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): മരുമക്കത്തായം ആകുമ്പോൾ ഈ അവകാശം എങ്ങിനെ ലഭിക്കും?

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): Affiliation കൊണ്ടു മരുമക്കത്തായ കുടുംബങ്ങളിൽ മക്കത്തായ ഏൎപ്പാടു നടപ്പിൽ വരുത്തുകയാണു ചെയ്യുന്നതു്. മുമ്പു കാരണവനും അനന്തിരവൎക്കും മാത്രമെ അവകാശമുണ്ടായിരുന്നുള്ളു, ഇപ്പോൾ മക്കൾക്കുകൂടി അവകാശം ജനിപ്പിക്കുകയാണു ചെയ്യുന്നതു്.

MR. REVATI NAL RAMAVARMA RAJA (*Edavagai*): തറവാട്ടു സ്വത്തിനെപ്പറ്റിയാണു് ഇവിടെ പറയുന്നതു്. അല്ലാതെ സ്വയാൎജ്ജിതമായ സ്വത്തിനെപ്പറ്റി അല്ലാ പറയുന്നതു്.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): പാൎട്ടിഷൻ പാടില്ലാ എന്നു് ഈ ബില്ലിൽ പറഞ്ഞിട്ടില്ല. അങ്ങിനെ പറഞ്ഞിരുന്നു എന്നു വരികിൽ ഞാൻ ഈ ഭാഗം ഇവിടെ കൊണ്ടുവരികയില്ലായിരുന്നു.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ഒരാൾ മാത്രം ശേഷിച്ചാൽ ആ സ്വത്തു് Separate Property ആയിട്ടു വരുകയില്ലയോ?

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): ഇന്നു് കുടിവച്ചു് സമ്പ്രദായമുള്ള വാഴ്ന്മാരുടെ ഇടയിൽ എങ്ങനെ നടക്കുന്നോ അതുപോലെ ആകും.

ക്ഷത്രിയർ എന്നതിനെ സംബന്ധിച്ചിടത്തോളം ഉള്ള Defin tion ഇന്നതരത്തിൽ ആയിരിക്കണം എന്നുള്ളതിനെപ്പറ്റി തെളിച്ചു എടുക്കണമെന്നു പ്രസിഡണ്ടു പറയുകയുണ്ടായി. അതു നല്ലതുതന്നെയാണു്. ക്ഷത്രിയരെ ഞാൻ ഇങ്ങനെ define ചെയ്തിട്ടുണ്ടു്.

In this Regulation unless there is something repugnant in th subject or contest:

1. The term "Kshatriya" shall mean and include all known an recognised as "Malayali Kshatriya or Keraleeya Kshatriya" for th purposes of this Regulation.

The following illustration is intended to explain the position bu not to limit the scope.

Amongst others it primarily recognises the members of the follow ing families as Kshatriyas:—

(*a*) The Raja families of Beypore (Malabar) and their allie families of Koil Tampurans in Travancore.

(*b*) The Raja families of Chirakal (Malabar) and their allied families of Kolaswarupa Rajas in Travancore;

(*c*) The Raja families of Poonjar, Panthalam and Omallur and their allied families;

(*d*) The Raja families of Vadakkumkur and Thekkumkur and their allied families including such Raja families as at Nattasseril, Kottayam, Vazhuthanakad—Vaikam Katanat—Minachil, Alangad and Kaprasseril—Alwaye.

(*e*) The Raja family of Cranganore, Cochin and its allied families;

(*f*) The Raja family of the Zamorin of Calicut and its allied families:

(*g*) The families of Tampans, Tampurans, Pandarathils Tirumulpads etc., in Travancore, Cochin and Malabar and such others known and recognised as Kshatriyas.

NOTE. "Allied families' means those who recognised at the commencement of this regulation Pollution" at births and deaths of members of differen families amongst them or such who recognise interdining at religious functions.

ഇതിൽ ബ്രിട്ടീഷ് മലബാറിലുള്ള ക്ഷത്രിയരെക്കൂടി refer ചെയ്തിട്ടുണ്ട്. ക്ഷത്രിയർ എന്നുള്ള പദത്തിന് ഒരു definition മാത്രം കൊടുക്കുകയായതുകൊണ്ട് അവരെ കൂടി ചേർക്കുന്നതിൽ വിരോധം ഇല്ലാ. ഇതാണ് ക്ഷത്രിയർ എന്നുള്ളതിന് Definition ആയി ഞാൻ നിർദ്ദേശിക്കുന്നത്.

DEPUTY PRESIDENT: Pollution observe ചെയ്യണം എന്നു പറഞ്ഞാൽ അവർ തമ്മിൽ intermarriage ആകാമോ?

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): Pollution observe ചെയ്യുന്നവർ തമ്മിൽ intermarriage പതിവില്ല. ഇതിൽ ഏഴു വിഭാഗം പറഞ്ഞിട്ടുണ്ട്. ഈ വിഭാഗക്കാരുടെയിടയിൽ ഇപ്പോൾ അലൈയഡ് ആയിട്ടുള്ളവരുടെപുലമുറിയെ സംബന്ധിച്ച ചില ആലോചന ഉണ്ട്. ക്ഷത്രിയരുടെ ഇടയിലേ വിവാഹം പാടൊള്ളൂ എന്നാണ് ഈ ബില്ലിൽ പറയുന്നത്.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): എന്റെ ബില്ലിൽ അങ്ങിനെയില്ല.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): ക്ഷത്രിയരുടെ ഇടയിലേ വിവാഹം വേണ്ടതുള്ളൂ എന്നു പറഞ്ഞു.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): അതു അഭിപ്രായമാണ്.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): ക്ഷത്രിയരുടെഇടയിൽഇന്നുനടപ്പുള്ള രീതി future generation ന്റെ സ്വാതന്ത്ര്യം തടയാൻ പാടില്ലാ എന്നാണ് എന്റെ അഭിപ്രായം.

DEPUTY PRESIDENT: Any male other than a Kshatriya with whom conjugal union is permitted at the date of the marriage. That is what it would mean if you develop a new custom.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*); അത്രേ ഉള്ളൂ. ഇന്നിപ്പോൾ നടപ്പിൽ ഇരിക്കുന്നതിനെ തടഞ്ഞുകഴിഞ്ഞാൽ നാളെ പുത്തനായിട്ടു കസ്റ്റം ഒന്നുണ്ടാകുന്നതെങ്ങനെ?

DEPUTY PRESIDENT : ഇപ്പോൾ അങ്ങനെ തടഞ്ഞിട്ടില്ലല്ലൊ.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): ഒരു marriage recognised custom ആകണമെങ്കിൽ പല marriage നടക്കാതെ സാധിക്കയില്ല. ഒരേതരത്തിൽ അഞ്ചു് വിവാഹം നടക്കുമ്പോൾ അതിൽ ആദ്യത്തെ നാലെണ്ണവും invalid ആയിട്ടു തള്ളിയേക്കാൻ മതി; അഞ്ചാമത്തേതു കസ്റ്റംകൊണ്ടു legal ആയിട്ടു വരാം. അങ്ങിനെയാണ് custom ആയിട്ടു തീരുന്നതു്. ഇങ്ങനെ ഒന്നു തന്നെ നടത്താതെ custom ഉണ്ടാകുന്നതു് എങ്ങനെയാണ്? ഈ custom and usage മാററാനുള്ള അധികാരം സമുദായത്തിനുതന്നെ ഉണ്ടായിരിക്കണം. ഇപ്പോൾ നായന്മാരുമായിട്ടു വിവാഹം നടക്കുന്നുണ്ടു്. കുറേക്കാലം കഴിയുമ്പോൾ വേണ്ടിവന്നാൽ അതു പാടില്ലാ എന്നു പറയാനുള്ള അധികാരം ക്ഷത്രിയസമുദായക്കാർക്കുതന്നെ വേണം. അല്ലാതെ അതു മററൊരു സമുദായക്കാരിൽ ഇരിക്കാൻ ഒരിക്കലും പാടില്ലാത്തതാകുന്നു. ഇന്നു ഹിന്ദുസാധാരണയായി സാമുദായിക ആചാരങ്ങളൊക്കെ കേരളത്തിൽ നിശ്ചയിക്കുന്നതു നംപൂതിരിമാരാണെന്നാണു വച്ചിരിക്കുന്നതു്. അവർ ഇന്ന ആളുമായിട്ടുള്ള വിവാഹം പാടില്ല തെററാണ്. അതുകൊണ്ടു് ഒരാൾ ജാതിഭ്രഷ്ടനായി എന്നു പറഞ്ഞാൽ ഞങ്ങൾക്കു് അതു മേലാൽ അനുസരിക്കാൻ നിവൃത്തിയില്ല. ഇന്നിപ്പോൾ പന്തളത്തുള്ള രാജാക്കന്മാരും കോയിത്തമ്പുരാക്കന്മാരും തമ്മിൽ വിവാഹബന്ധം നടപ്പില്ല. നാളെ ഒരു വിവാഹം നടക്കുന്നപക്ഷം അതു തെററാണെന്നോ ശരിയാണെന്നോ പറയാൻ ഉള്ള അധികാരം അന്യ സമുദായക്കാർക്കുണ്ടായിരിക്കരുതു്.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): സമുദായത്തിനു് ആ സ്വാതന്ത്ര്യം വിട്ടുകൊടുക്കുന്നതിനുപകരം അതു ബില്ലിൽ തന്നെ ചേർക്കുന്നതല്ലേ നല്ലതു്?

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peer nade*): ഞാൻ ആ ക്ലാസ് മുഴുവനും വായിക്കാം.

DEPUTY PRESIDENT: I suppose you want that provision to be as follows:—

Any male other than a Kshatriya with whom conjugal union is permitted according to recognised social custom and usage obtaining in the Kshatriya community.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): I will read what I have here.

"Subject to restrictions of consanguine relationship recognised by the Society and Prohibition of plurality of spouses entailed below the conjugal union of a Kshatriya female or a Kshatriya male, with (*a*) any Kshatriya male or any Kshatriya female; or

(*b*) any male or any female of any community other than the Kshatriyas—between whom and the Kshatriyas marital connection is recognised permissible or is not prohibited by the Society publicly performed by the parties with their mutual consent shall constitute a legally valid marriage under this Regulation."

DEPUTY PRESIDENT: By "Society," you, of course, mean the Kshatriya community?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): I have got an explanation to this Section. I will read it.

Explanation:—(1) "Society" in the above Section refers to "the Kshatriya body politic" *i. e.*, Kshatriyas in a collective sense: the Section assumes the full right of the Kshatriyas to recognise, alter or fix their exogamous and endogamous rules to suit their social needs according to circumstances.

ഇന്നത്തെ സ്ഥിതിയല്ലായിരിക്കും ൧൦-൧൫ കൊല്ലം കഴിയുമ്പോൾ വരുന്നതു്. അന്നു നായന്മാരുമായിട്ടുള്ള വിവാഹം ആവശ്യമില്ലെന്നും ബ്രാഹ്മണരുമായുള്ള വിവാഹം ആവശ്യമാണെന്നും ഒരുവേള വന്നേയ്ക്കാം. കുറെ കഴിയുമ്പോൾ സൊസൈററി വേറെ ഒരു സെററുകാരുമായി വിവാഹബന്ധം ആകാമെന്നു നിശ്ചയിച്ചേക്കാം.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): സൊസൈററി അങ്ങിനെ നിശ്ചയിച്ചാൽ ഇപ്പോഴും അതു പാടില്ലാതേയുണ്ടോ? എല്ലാവരുംകൂടി നിശ്ചയിച്ചാൽ ഏതെങ്കിലും സൊസൈററി തടഞ്ഞു എന്നു വരുമൊ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ഇന്നു നിലവിലിരിക്കുന്ന കസ്റ്റം അനുസരിച്ചു നമുക്കു കർമ്മത്തിനു ബ്രാഹ്മണരുടെ ആവശ്യമുണ്ടു്. ഈ നിലയ്ക്കു ബ്രാഹ്മണർ പാടില്ല എന്നു നിശ്ചയിച്ചുകഴിഞ്ഞാൽ അവർ കർമ്മംചെയ്യിക്കാൻവരികയില്ല. തന്നിമിത്തം വിവാഹം നടക്കാതെവരും.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): സൊസൈററി അങ്ങിനെ തീർച്ചപ്പെടുത്തിയാൽ ബ്രാഹ്മണരെത്തന്നെ വേണ്ട എന്നുവച്ച് നടത്തുന്നില്ലേ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): നടത്തുന്നുണ്ട്. അങ്ങിനെ നടത്തുന്നതു conjugal union ആണെന്നു പറയാമെന്നല്ലാതെ നിയമപ്രകാരം വിവാഹം ആണെന്നു പറയാൻ തരമില്ലാതെ വരും.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): സൊസൈററിയിൽ എല്ലാവരുംകൂടി നിശ്ചയിക്കുന്നതല്ലാത്ത ഒരുകാര്യത്തിനു ഗവൺമെൻറിൽനിന്നും ഒരു നിയമമുണ്ടാക്കുന്നതെങ്ങനെയാണ്?

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery cum Peermade*): എല്ലാവരും സമ്മതിച്ച് ഒരു റെഗുലേഷൻ പാസാകാൻ സാധിക്കുമൊ? എല്ലാവരുംകൂടി യോജിച്ചു തിരുവിതാംകൂറിൽ ഒരുനിയമവും പാസായിട്ടില്ല. വലിയ ഒരു ഭൂരിപക്ഷം അനുസരിച്ചു ചെയ്യുക എന്നേയുള്ളു.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): വലിയ ഒരു ഭൂരിപക്ഷത്തിനു ബ്രാഹ്മണരെ വേണ്ട എന്നു വയ്ക്കാൻ തടസ്ഥമുണ്ടൊ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ഇപ്പോൾ തടസ്ഥമില്ല. ഇനി അതു നിയമപ്രകാരം അസാധുവാക്കുകയാണു ഈ ബിൽ മൂലം ചെയ്യുന്നതു്. ഇപ്പോഴിരിക്കുന്ന രീതിയിൽ വലിയ കുഴപ്പമൊന്നും ഇല്ല. സമുദായാചാരത്തിൽ അല്പസ്വല്പമായ മാഡിഫിക്കേഷൻ നിഷ്പ്രയാസം വരുത്താം.

വിവാഹത്തെ സംബന്ധിച്ച് ഡെഫനിഷനിൽ ഞാൻ ചിലതു കൂടി ചേർത്തിട്ടുണ്ട്.

"By mutual consent" it is intended not to recognise any right for the guardians to give a girl in marriage during her minority or to pursuade a minor girl who has attained her "age of consent" to accept a marriage, whether to her benefit or not, but the guardian may, where needed, interfere in a protective capacity to prevent the same.

ഇതു പറയുന്നതിന് എന്നെ പ്രേരിപ്പിച്ചതു് give in marriage എന്നു നംപൂതിരിബില്ലിൽ വന്നപ്പോൾ ഒരു തക്കം ഉണ്ടായതുകൊണ്ടാണു. ക്ഷത്രിയസ്ത്രീകൾക്കു പ്രായപൂർത്തിവന്നാൽ വിവാഹം ചെയ്യുന്നതിനുള്ള പൂർണ്ണസ്വാതന്ത്ര്യം അവക്കുതന്നെ ഉണ്ടായിരിക്കണം. പ്രേരിപ്പിച്ചു വിവാഹം കഴിപ്പിക്കാൻ ഒരിക്കലും രക്ഷകർത്താക്കൾക്ക് അധികാരം ഉണ്ടായിരിക്കരുതു്.

"Publicly formed" includes any social observance in the presence of at least a few respectable persons to witness it. No secret contract will bestow validity on the "union".

"Kalyanams" that are not intended to privilege the parties to live as husband and wife there-after publicly known and recognised as such are not marriages and the mock husband thereby derives no marital or conjugal rights.

ഇതു ചേർക്കേണ്ട ആവശ്യമുണ്ട്. ഈ ബില്ലിൽ ഇതില്ലാത്തതുകൊണ്ടു കോയിത്തമ്പുരാക്കന്മാർക്കും പന്തളം, പൂഞ്ഞാർ മുതലായ രാജാക്കന്മാർക്കും വലിയ അപകടമുണ്ടാകാൻ എളുപ്പമുണ്ട്. വിവാഹഅടിയന്തിരം നടത്തുമ്പോൾ താലി കെട്ടുന്ന ആളിനെ ഭർത്താവായിട്ട് ഉദ്ദേശിച്ചിട്ടില്ല അങ്ങിനെ ആലോചിക്കുന്നതു്. നിയമപ്രകാരം ഈ ആൾ ഭർത്താവാണെന്നു വന്നാൽ വലിയ ഉപദ്രവമായിട്ടു തീരും. അതായതു സ്ത്രീ മൈനറാണ്. അപ്പോൾ രക്ഷകർത്തൃത്വം ഭർത്താവിൽ വന്നു ചേരുന്നു. ഇങ്ങനെ വരുമ്പോഴാണ് establishment of conjugal right നുള്ള അവകാശം മൂലം ഉപദ്രവം ഉണ്ടാകുന്നതു്.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ക്ഷത്രിയസ്ത്രീകൾ ക്ഷത്രിയരേയൊ ബ്രാഹ്മണരേയൊ അല്ലാതെ വേറെ ഒരാളിനെ വിവാഹംചെയ്താൽ ആ വിവാഹം സാധുവാണോ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ഇപ്പോൾ വിവാഹം സാധുവല്ല. എന്നാൽ ആ സ്ത്രീക്കും കുട്ടികൾക്കും അവകാശം കിട്ടുന്നതിൽ യാതൊരു ന്യൂനതയും വരുത്തുന്നില്ല.

Except under conditions mentioned below the subsequent conjugal union of a male or a female amounting to marriage during the continuance of a prior recognised conjugal union, of which either of the former or of the latter, a kshatriya male or a kshatriya female, is one of the parties is hereby prohibited: provided it shall not affect the validity of such marriages if any subsisting on the date of commencement of this Regulation.

മനുഷ്യർക്കു ജീവിക്കുന്നതിനുള്ള ചില ആഗ്രഹങ്ങൾ ആർക്കും വേണ്ടെന്നുവയ്ക്കാൻ സാധിക്കയില്ല. അതിലേക്കു യാതൊരു സൌകര്യവും കൊടുക്കാതെയാണ് ഇപ്പോഴത്തെ മരുമക്കത്തായം റഗുലേഷൻ നില്ക്കുന്നതു്. നായർ റഗുലേഷനിൽ വിവാഹത്തെ സംബന്ധിച്ചിടത്തോളം മോണോഗമി തന്നെ വേണമെന്നാണു പറയുന്നതു്. എന്നാൽ ഇവിടെ ചില സന്ദർഭങ്ങളിൽ അതിലേക്കു വ്യത്യസ്തം അനുവദിച്ചുകൊടുക്കണമെന്നു പറയുന്നുണ്ട്.

The conditions above referred to are :—

(a) Both parties to the original marriage and the new co-partner shall have all completed 18 years of age at the time, and

[Mr. L. R. Raja Raja Varma Koiltampuran.]

(b) (1) when the husband or wife, one of them has fallen a victim to insanity, feeble-mindedness or epilepsy of a serious and pronounced nature or to heriditary or contageous diseases of a verulent and permanent type, such as leprosy, or

(2) the husband or wife, one of them is impotent or barren or sexually inert by nature or accidentaly incapacitated for sexualintercourse, permanently or for over three years continuously preceeding the subsequent marriage; or

(3) the husband or wife one of them is rendered physically incapable of functioning properly as a help-mate and partner-in-life permanently or for a period of over three years continuously preceeding the subsequent marriage;

the other partner may marry again or when

(4) the husband or wife married to a non-kshatriya before the commencement of this Regulation is married again in his or her own community; or

(5) a child is born to either the husband or the wife by connec tion with any other female or male and the parenthood is establishe to recognise conjugal rights between such parents.

uch partner may marry again during the continuance of the pric marriage.

ഈ നിലയിൽ മാത്രമേ രണ്ടാമത്തു വിവാഹംചെയ്യാൻ പാടൊള്ളൂ എന്നു തടഞ്ഞിരിക്കയാണു്. അല്ലാത്തകേസ്സുകളിലെല്ലാം strict monc gamy നിർബന്ധിച്ചിരിക്കയാണു്.

"Conjugal union" includes marriage—whether valid or not under thi Regulation.

Where a marriage is not registered the court may presume recc gnition of a conjugal union that may amount to a marriage from any c all of the following facts according to the circumstances for th purposes of this Regulation:—

ഇതു് മൈനാറിട്ടി ബില്ലിൽ ഞാൻ കൊണ്ടുവന്നിട്ടുള്ള ഒരു ക്ല സാണു്.

i. The male and the female living together with freedom of conju cohabitations publicly known as husband and wife;

ii. their keeping of a joint house-hold;

iii. their admission of matrimonial relations to third persons correspondence, other documents on in public;

iv. births of children;

v. children's recognition of them as parents;

vi. their joint maintenance of children;

vii. according to circumstances, their mutual material maintena or the male's contribution to the maintenance of children;

viii. as well as any other facts or circumstances that may appea the court as sufficient and satisfactory.

Such subsequent conjugal union under conditions mentioned in b. (1), (2) and (3) does not affect the original parties of their mutual right to maintenance established under Chapter III.

In case of b, (4) and (5), the other partner of the original marriage (who is not married again) has right thereby to claim maintenance from both of the newly married parties *i. e.* from the new co-partner also under Chapter III.

Age of consent for marriage is hereby fixed as 16 for females and 18 for males.

In the case of minors consummation shall follow only with the consent of the guardians duly declared before a registering officer or a duly attested declaration lodged with him as prescribed.

DEPUTY PRESIDENT: A girl is supposed to attain majority at 16. What is the necessity for the consent of the legal guardian?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Chagnanachery* cum *Peermade*): ൧൬ മുതൽ ൧൮ വയസ്സുവരെ പാടില്ല എന്നു തടയാൻ അധികാരമുണ്ട്. എന്നാൽ വേണമെന്നു പറയുവാൻ അധികാരമില്ല. If it is against her interest, the legal guardian can prevent consummation.

DEPUTY PRESIDENT: Does it permit a girl to repudiate marriage when she completes her 18th year of age?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): No. Registration of marriages എന്നൊരു അദ്ധ്യായമുണ്ട്. വിവാഹം രജിസ്റ്റർ ചെയ്യേണ്ട അത്യാവശ്യകതയുണ്ട്, അല്ലെങ്കിൽ തെളിയിക്കാൻ വിഷമിക്കും. റിലിജിയസായ വിവാഹം, നിയമസാധുത്വമുള്ള വിവാഹം ഇങ്ങനെ രണ്ടുതരത്തിൽ വിവാഹമുണ്ട്. സിവിൽറൈറ്റ് രജിസ്റ്റർചെയ്ത വിവാഹത്തിനുമാത്രമേ ഉണ്ടായിരിക്കാൻ പാടുള്ളു. മതസംബന്ധമായ വിവാഹം വേണമെന്നോ വേണ്ടായെന്നോ ഞാൻ പറയുന്നില്ല.

Persons who are in defacto marital relations but who have not been registered under this Regulation may avail themselves of the protection afforded hereunder by formalising their marriage connections with registration in the prescribed manner, provided:

(1) neither of the parties to the marriage are minors or persons recognised under law as being insane or feeble minded at the time of registration;

(2) the parties are not between themselves relatives of descending or ascending lines or fully or half-consangunous brothers and sisters;

(3) the parties duly declare themselves before the registering officer in the form prescribed that their marriage connection is valid and registerable under this Regulation or lodge with him a duly attested declaration to the effect, as prescribed.

DEPUTY PRESIDENT: How does it come under the head 'registration of marriages'?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*). അങ്ങിനെയുള്ളതേ രജിസ്റ്റർചെയ്യാൻ പാടൊള്ളൂ. അല്ലാത്തതു രജിസ്റ്റർ ചെയ്യാൻപാടില്ല.

DEPUTY PRESIDENT: So, you want the Registrar to hold an enquiry into all these questions?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): No. ഒരു ഡിക്ലറേഷൻ കൊടുത്താൽ മതി. അങ്ങിനെ അല്ലാതെ നടക്കുന്ന വിവാഹം സാധുവല്ല. രജിസ്ട്രാരെ അതിലേക്കു ചുമതലക്കാരനാക്കണമെന്നു പറയുന്നില്ല. എന്നാൽ വേണമെങ്കിൽ എൻക്വയറി നടത്തുകയും ചെയ്യാം.

DEPUTY PRESIDENT: Would you extend it to existing marriages?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): It is only permissible.

MR. A. THANU PILLAI (*Trivandrum*): രജിസ്ട്രേഷൻകൂടാതെ ലീഗൽ റൈററു കിട്ടുമോ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): കിട്ടും. അതിനെപ്പററി താഴെ പറയുന്നുണ്ട്.

DEPUTY PRESIDENT: Then what is the advantage of registration with reference to the existing marriages?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*). ഡൈവോർസിനു രജിസ്ട്രേഷൻ വച്ചിട്ടുണ്ട്. ക്ഷത്രിയ ബില്ലിൽ മാരിയേജിന് അതുവച്ചിട്ടുണ്ടോ എന്നു സംശയമാണ്. മാരിയേജിനു ഇല്ലെങ്കിൽ ഡൈവോർസിനു രജിസ്ട്രേഷൻ വച്ചതിൽ വലിയ അർത്ഥമൊന്നുമില്ല. ഞാൻ ഇവിടെ കൊടുത്തിട്ടുള്ളതു്.—

DEPUTY PRESIDENT: What is the significance of your declaring certain marriages to be void while keeping alive all the intestate rights of succession?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): I confer powers of succession too on children of illicit marriages also.

മെയിൻറനൻസ് റൈററു മാത്രമേ നായർ റഗുലേഷനിൽ ഉള്ളൂ. ഞാൻ ഇൻഹെരിട്ടൻസുകൂടി ഇങ്ങനെയുള്ള കേസുകളിൽ കൊടുക്കണമെന്നു പറയുന്നുണ്ട്. Registration of marriages ൽ ഒരു ഭാഗം കൂടി ഉണ്ട്.

Civil conditions of matrimonial connections shall be established and discharged by special registration as hereby provided, but non-registration shall not deprive the married parties or their children of their rights and privileges. The invalidity of marriages shall not affect the rights of children born to such "unions."

EFFECTS OF MARRIAGES.

i. Where the marriages are registered under this Regulation, the incidents of such marriages as setforth herein shall begin to operate on all concerned forthwith.

ii. Where there are express provisions in this Regulation, no other law shall bind them with regard to such matters ; all such in any other law custom or usage that contradicts the provisions herein contained shall stand amended for the purpose.

iii. Properties and rights to properties belonging to the married parties prior to their marriage shall remain their separate property, unless voluntarily contracted otherwise by a registered instrument by the parties themselves.

iv. Properties and rights to properties acquired by either of the married parties during the continuance of their marriage shall be considered as their common property in respect of which they shall be deemed "tenants-in-common."

v. At dissolution a separation of such common property may be claimed and the respective shares of each in their earnings unless agreed to otherwise by the parties themselves, shall be determined by the Court on the basis of their contribution. Here compensation is set for the part a wife plays in building up the joint house hold and not cash alone brought by the husband.

vi. Protection provided for children under recognised conjugal union and in the absence of such,

as well as restrictions imposed on the parents' right of absolute "Will."

പുത്തനായി ഒരു സംഗതികൂടി ഇതിൽ ചേർക്കണം. Absence of marriage ൽ കുട്ടികൾക്കു ഒരു protection ആവശ്യമാണ്.

vii. Right to maintenance as established herein.

ABSENCE OF MARRIAGES.

6. i. Children of unmarried parents enjoy the same rights as Children born of marriages and of illegal connections as of valid ones.

ii. In order to protect the interests of children any woman has the right during pregnancy or soon after birth of a child to lodge a declaration before such officer as the Government prescribes stating the name and address and marks of identification if any of the child's father.

iii. The officer shall inform the person stated in the declaration as father about it ; if no repudiation is presented within a month, from the date of receiving such notification, the person mentioned shall be inscribed as the father of the child.

Within a year from the receipt of the notification, the person specified as the father may commence an action in court against the mother on the grounds of false statements, etc.

The mother also has the right within one year after the birth of the child, to sue in court for the establishment of paternity, etc.

iv. In case of no entry concerning parents with the Register of births for any Kshatriya child hereafter born, or incorrectness or incompleteness or illegibility therein, the persons concerned shall have to prove or disprove such parenthood in court when called upon to do so.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): ശിശു പ്രസവിച്ചു കഴിയുമ്പോൾ വേറെ ഒരാളിന്റെ ഭാര്യ ആയാലോ?

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery cum Peermade*): ഭാര്യ മാത്രമല്ലല്ലോ തെളിവിനു നോക്കുന്നതു്. എല്ലാ മനുഷ്യരും Adam and Eve മുതൽ ഒരേ ഭാര്യ ആയിരിക്കണമെന്നു ഒരു വ്യാഖ്യാനം കൊണ്ടുവന്നാൽ വിഷമമായിത്തീരും.

DEPUTY PRESIDENT : I am just bringing to your notice that both under the English and Indian law, as a matter of public policy when the husband had access to the wife and when a child is born under such circumstances it is a conclusive presumption that the law takes that the husband is the father of the child... ..*conclusive* and not rebuttable presumption. In the present instance you throw open the door for the paternity to be denied even at an early stage, within a few months after the birth of the child. If you are very sensitive in the matter of purity there are other considerations also of policy which should not be lost sight of. The interests of public morality demand that where the husband had access to the wife it must be a conclusive presumption that the child was born of him.

CESSATION OF MARRIAGES.

7. (a) A marriage ceases with the death of either party or by the presumption of the Court to the effect.

In the latter case on an application made by the surviving before the District Munsiff within the local limits of whose jurisdiction the marriage is registered, the court after duly publishing notices standing for four months and after satisfying itself may pass an order certifying the marriage terminated.

(b) A marriage may be dissolved during the life-time of both the parties by the mutual consent of the parties or by the unilateral desire of either of them; such a dissolution may be registered in the manner prescribed.

DEPUTY PRESIDENT: I am merely bringing to your notice that in civilised countries this is regarded as high public policy.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ഡൈവോർസു ചെയ്തു കഴിഞ്ഞാൽ സ്ത്രീക്കു ചിലവിനു കിട്ടാനുള്ള അവകാശമുണ്ട്. ഇന്നു ഭർത്താക്കന്മാരുടെ ചിലവുകൂടെ സ്ത്രീകളുടെ കുടുംബത്തിൽ നിന്നാണു നടത്തുന്നത്. ആ സ്ഥിതിക്കു ക്ഷത്രിയസമുദായത്തിനു എപ്പോഴും ഭർത്താവിനെഞെക്കിപിഴിയണമെന്നാവശ്യമില്ല. യഥാർത്ഥത്തിൽ ചിലവിനു കിട്ടേണ്ട ആവശ്യമുണ്ടെന്നു കോടതിയ്ക്കോ ലോകസാമാന്യത്തിനോ ബോദ്ധ്യം വന്നാൽ അവക്കു നിശ്ചയമായിട്ടും ചിലവിനു കിട്ടാൻ അർഹതയുണ്ട്. ഒരു വലിയ സ്ഥാനത്തിരിക്കുന്ന ഒരു സ്ത്രീക്കു നിസ്സാരമായ ഒരു ഭർത്താവിൽ നിന്നും ചിലവിനു കിട്ടാൻ അവകാശമുണ്ട് എന്നൊരു ക്ലാസ് ഇവിടെ വയ്ക്കേണ്ട ആവശ്യമില്ല. അതിനാൽ ഞാൻ അതിൽ ഭിന്നാഭിപ്രായം രേഖപ്പെടുത്തിയതാണ്.

MR. A. THANU PILLAI (*Trivandrum*): അങ്ങിനെമെയിൻറനൻസിന് ആവശ്യപ്പെടുമോ?

DEPUTY PRESIDENT : If it is a legal right it can be claimed even when the wife and the child are able to maintain themselves otherwise.

MR. A. THANU PILLAI (*Trivandrum*) : My question is whether it is likely that a woman occupying decent position in society and who can maintain herself would care to demand maintenance from her husband who is not in a position to pay.

DEPUTY PRESIDENT: He says that at present the wife has to maintain the husband and that under such circumstances it would be unfair to give the wife the right to claim maintenance from the husband. That is only his view. You want, Mr. Koiltampuran, only the present state of things to continue, is it not?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): അതേ.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ആളോഹരി ഭാഗം വേണമെന്നു അവിടന്നു ആവശ്യപ്പെട്ടു. ആളോഹരി ഭാഗംവരുമ്പോൾ ക്ഷത്രിയക്ക് ഇന്നുള്ള പ്രതാപം കാണുമോ? അങ്ങിനെ വരുമ്പോൾ മെയിൻറനൻസ് ആവശ്യമില്ലെന്നു വരുമോ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): മെയിൻറനൻസ് ഭാൎയ്യക്കും ഭൎത്താവിനും വേണം.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ആളോഹരിഭാഗം വരുമ്പോൾ വിജാതീയ ഭൎത്താവിനോടുകൂടിയിരിക്കുന്ന ഭാൎയ്യക്കു സ്വന്തമായ സ്വത്തില്ലാതെ വന്നേയ്ക്കാം. അങ്ങിനെ വരുമ്പോൾ ഭൎത്താവിന്റെ സ്വത്തിൽ നിന്നും ചിലവിനു വാങ്ങിക്കാൻ പാടില്ലെന്നാണോ അഭിപ്രായം?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ഇപ്പോൾ തന്നെ മറ്റു നിയമം അനുസരിച്ചു ഭാൎയ്യക്കു ചിലവിനു വാങ്ങാൻ അവകാശമുണ്ടു്, ഭാൎയ്യക്കായാലും ഭൎത്താവിനായാലും യഥാൎത്ഥത്തിൽ ആവശ്യമില്ലെങ്കിൽ കൊടുക്കരുതു്.

DEPUTY PRESIDENT: I would just suggest to you that you may refer to the corresponding provision of Mr. Revati Nal's Bill also for purpose of comparison with your suggestions.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): എനിക്കു ഇനിരണ്ടദ്ധ്യായത്തെപ്പറ്റി മാത്രമേ പറയാനുള്ളു. ഒടുവിൽ ഒരദ്ധ്യായംകൂടി കൂട്ടിച്ചേൎക്കണം. സിലക്ട്കമ്മിറ്റിയുടെ ആലോചനയ്ക്കു ഏതാനും ചില സജഷൻസ് കൊടുക്കയാണു ഞാൻ ഇപ്പോൾ ചെയ്യുന്നതു്.

(c) When registering a divorce, the registering officer shall raise the question which of the parties shall maintain the children and educate them and be their guardian.

(d) Should the parties arrive at any reasonable agreement in this matter, it shall be so inscribed in the Register of Divorce and an extract therefrom shall be delivered to each party.

(e) This agreement shall not deprive either of the former married persons or their children of their right to sue subsequently, by means of general legal proceedings, for maintenance to an extent exceeding that provided for in the agreement.

[Mr. L. R. Raja Raja Varma Koiltampuran.]

GENERAL PROVISIONS.

8. (a) The Government shall appoint or authorise proper officers for registering the marriages and dissolutions and for issuing certificates thereon and nominate and authorise a sufficient number of officials or non-officials or both for making declarations and attestations relating to registrations done at private residences and make such arrangements for the maintenance of such books and records, etc. and for issue of copies thereof, and frame such rules as may be necessary for effectively working out the provisions of this Chapter relating to marriages and dissolutions.

(b) Persons so appointed shall have such powers as are conferred on them by Government to issue summons, processes and notices under this Regulation, to make enquiries, examine witnesses and take statements solemnly affirmed in connection with marriages and dissolutions where necessary and make decisions on points raised which unless set aside by a competent Court shall be binding on the parties executable as a Court decree.

(c) No suit shall be entertained hereafter by any Court for "restitution of conjugal rights" or for "judicial separation" relating to Kshatriyas.

(d) The husband or the wife or both or in case of minors their respective guardians, all such who have knowingly and wilfully found to have violated the provisions of Chapter II shall on conviction by a Magistrate, each be punished when not otherwise provided for in the T. P. C. with a fine which may extend to Rs. 500.

(e) Every person making, signing or attesting any declaration or certificate under this Regulation containing a statement which is false and which he knows or believes to be false or does not believe to be true, shall be deemed guilty of an offence described in Section 193 T. P. C.

(f) A wife may be deemed competent to take part in all the Divorce proceedings without the aid of a guardian, on her own accord as if she were a major, when she has completed her 16 years of age.

സ്വതന്ത്രമായി "divorce" ന അപേക്ഷിക്കാൻ ക്ഷത്രിയബില്ലിൽ ൧൬ വയസ്സ് എന്നുപറയുന്നുണ്ട്. അതുപിശകാണ് എന്നാണ് എന്റെ അഭിപ്രായം അതിനെ ൧൮ ആക്കിയിരിക്കയാണ്. ഇനി maintenance chapter, and inheritance chapter ഇതുരണ്ടും ആണ് സിലക്ട്കമ്മിററിയുടെ ശ്രദ്ധയിൽ കൊണ്ടുവരണമെന്നു ഞാൻ വിചാരിക്കുന്നതു്.

CHAPTER III.

RIGHTS AND DUTIES OF KINS.

i. Rights and duties of persons related to one another are mutual and are based on blood-relationship, the nearer exclude the more remote.

DEPUTY PRESIDENT: Have you not got this provision in the Guardian and Wards Regulation?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*); മററു റഗുലേഷനിൽ ഉള്ളതാണെങ്കിൽ ഇതിൽനിന്നും എടുക്കാം. എനിക്കു നിയമപാണ്ഡിത്യമില്ലാത്തതിനാൽ ആവശ്യമില്ലാത്ത ഭാഗങ്ങൾ കൂടിചേർത്തിരിക്കാം. പക്ഷേ ഇന്നു ഇൻസാൾവെൻസി—

DEPUTY PRESIDENT: I referred to the Guardian and Wards Regulation and not to the Insolvency Regulation.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ഇൻസാൾവെൻറു ഗാർഡിയൻ ആയിരിക്കരുതെന്നുണ്ടോ?

DEPUTY PRESIDENT: കാണും.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ഇന്നത്തെ കാരണവന്മാരിൽ ചിലർ ഇൻസാൾവെൻറാണ്.

DEPUTY PRESIDENT: Guardian for minors and for minor's separate property and not for general family property in which a minor may have Co-parcenary interest.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): പക്ഷേ അതിനുംകൂടി ഇവിടെ സ്പെഷ്യൽ പ്രൊവിഷൻ ചെയ്തു ഡിസ്ക്വാളിഫൈചെയ്യാമെല്ലൊ.

ii. The right to maintenance while in marriage as well as after cessation thereof also belongs to persons who are or were in *de facto* marital relations, whether registered or not, if they come under the provisions of Section 2.

iii. The duty of maintaining minor unmarried children rests on both parents.

iv. Parents having sufficient means are obliged to provide maintenance for indigent minor children unable to work and children having sufficient means are obliged to provide maintenance for indigent parents unable to work.

v. Indigent grand-children under age or unable to work have the right to maintenance from grand-parents with sufficient means if they cannot obtain maintenance from their parents and indigent grand-parents unable to work have the right to maintenance from grand-children having sufficient means if they cannot be maintained by their partners in marriage and their children.

vi. The mutual right to maintenance continues so reciprocally for the lineal descendants and ascendants, the nearer excluding the more remote.

vii. Indigent minors have the right for maintenance from brothers, sisters, maternal uncles, maternal grand uncles and maternal great grand uncles in order, the latter substituting the former owing to their absence or inability, when they cannot obtain maintenance from their parents or their upward lineal ascendants.

viii. When all those mentioned above fail to provide adequate maintenance to indigent minor children owing to absence or inability they are entitled to get maintenance as provided in Chapter VII from the 'Mutual Benefit Fund.'

ix. In the above provisions i to x inclusive, the extent of the maintenance and the respective shares of each in each case shall be determined by the material position and comparative circumstances.

x. In case of maintenance claims of parties to the marriage between each other and of children and parents between each other, the Court may order temporary relief to the aggrieved without delay by summary proceedings—subject, of course, to the final decision and decree of the Court in due course.

xi. Nothing herein contained shall prejudicially affect the rights of any member of a tarwad to claim and get his or her 'maintenance' or 'Pocket Money' from their own tarwads.

സ്വത്തു അന്യം നില്പായി സർക്കാരിൽ ചേരാതെ അകന്നകന്ന ശാഖക്കാർക്ക് എങ്കിലും കിട്ടത്തക്കവണ്ണം സാധാരണ റഗുലേഷനിൽ വ്യവസ്ഥ കാണുന്നുണ്ട്. ഒരാൾ ജീവിച്ചിരിക്കുന്നകാലത്തു അയാൾക്ക് ആരിൽനിന്നും സഹായം ലഭിച്ചിട്ടുണ്ടോ അയാൾക്കുമാത്രമേ ഇൻഹെരിട്ടൻസിനു അവകാശമൊള്ളു. ബാക്കിയുള്ളതു മുഴുവൻ മ്യൂച്വൽബെനിഫിററ് ഫണ്ടിലേക്കു പോയിക്കൊള്ളട്ടെ. അതുകൊണ്ടാണ് മെയിൻറനൻസ് റൈററും ഇൻഹെരിട്ടൻസ്റൈററും ഏകദേശം മ്യൂച്വൽ ആക്കി ചേർത്തിട്ടുള്ളതു്.

Guardianship നെപ്പററിയാണ് ഇനിപറയാനുള്ളതു്.

[Mr. L. R. Raja Raja Varma Koiltampuran.]

X. GUARDIANSHIP.

i. The following persons or classes of persons shall succeed as guardians of minors in order, the latter substituting the former owing to absence or disqualification.

Mother, father;
Brothers, sisters—in the order of seniority of age under each class;
Mother's mother;
Mother's brothers, mother's mother's brothers—in the order of seniority of age under each class;
Mother's father.

ii. Disqualifications for guardianship referred to above are,

(a) No person debarred by an order of a Court from being a guardian in any particular instance shall unless the order be revoked or specially permitted by the Court in any other particular instance have any right to be a guardian.

(b) Except a father or a mother unless prohibited by a Court shall continue to be guardians, no person adjudicated insolvent by a competent Court of Law or convicted of any criminal offence that implies a defect of character shall be a guardian.

iii. In the absence of all of those mentioned in sub-section (i) above, or disqualification for them, the guardianship will be decided by the District Munsiff having local jurisdiction on an application by any interested or the Court can proceed direct to make such arrangements as may be necessary for the protection when it deems fit to do so.

DEPUTY PRESIDENT: Do you want more time Mr. Koiltampuran? If you propose to finish in a few minutes, I shall allow you to proceed. If not I propose to stop now.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): കൂടുതൽ സമയം വേണം.

DEPUTY PRESIDENT: We rise now and meet at quarter to 3.

The Council adjourned for lunch at 2 P. M. and re-assembled at 2-45 P. M.

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): I had finished clause 01(iii) under "Guardianship."

(iv) Guardian rights including parental rights are exercised only in the interests of the children, and in case of unlawful exercise by them of their rights or non-fulfillment by them of their duties, the Court is empowered to deprive them of the custody and guardianship of the children and to place them in charge of any other person preferably next of kin in the above order.

Nevertheless the Court may order the parents as well as all responsible for the same to contribute to the maintenance of such children.

In such instances the Court may interfere direct or proceed on an application by any interested and after summary enquiry may transfer guardianship altogether or impose such suitable restrictions therein.

(v) When the parents do not live together they are entitled to decide by mutual agreement under whose guardianship the minor children shall reside during such time; in the absence of such agreement the presumption will be that the guardianship rests with the father or mother with whom they reside and when not with any of them according to the provisions above.

(vi) Except that the other partner-in-marriage and then the major male children and major female children (according to seniority of age under each class) shall have preference over all the rest, the provisions under "Guardianship" so far as it may be applicable, may be applied to persons declared insane or feeble-minded.

CHAPTER IV.

TESTMENTARY SUCCESSION.

വിൽ കൊടുക്കുന്നതു നിമിത്തം മെയിൻറനൻസ് കിട്ടാതെ ദോഷം വരരുതു്.

DEPUTY PRESIDENT: അതു മുമ്പു തന്നെ പറഞ്ഞു കഴിഞ്ഞതാണ്.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*):

11. (i) Neither parents shall have a right to exercise his or her right of '*Will*' so as to defeat the very purpose of the maintenance rights provided for their minor children as established by Chapter III.

(ii) Notwithstanding anything that may be contained in their Parents' 'Wills', minor children's right to maintenance shall remain prior charges irrevocable, on such willed property, unless and until adequate maintenance be otherwise provided for them by their parents.

മൈനർ ചിൽഡ്രൻറെ മെയിൻറനൻസ്റൈററ്സ മാത്രമെ ഉള്ളു. അതിനെ ഡിഫീററു ചെയ്യത്തക്ക വിധത്തിൽ വില്ലിങ്ങ് റൈററിനെ ഉപയോഗിക്കാൻ പാടില്ല എന്നേയുള്ളു.

ഇങ്ങിനെ രണ്ടു ക്ലാസുകളാണ് അതിനെപ്പററി ഉള്ളതു്.

CHAPTER V.

INTESTATE SUCCESSION.

NOTE.—The distribution of the self-acquired and separate property of an intestate shall be according to the following rules:—

SUCCESSION TO AN INTESTATE MALE.

12. When a male dies intestate, the next of kin in the order set forth below shall be entitled to succeed to the self-acquired and separate property left undisposed of by him at his death.

GROUPS OF HEIRS.

(1) Widow or widows, sons and daughters and the lineal descendants of such sons or daughters as shall have predeceased the intestate.

(a) On the death of a male leaving him surviving widow or widows and also children, the lineal descendants of deceased children, or all, they shall take the whole of the self-acquired and separate property left undisposed of by him at his death; in the absence of the widow, the children and the lineal descendants of deceased children shall take the whole, and in the absence of the widow and children, the lineal descendants of deceased children shall take the whole.

The widow or widows, if there are more than one, shall each be entitled to a share equal to that of a son or daughter.

Sons and daughters shall take the property in equal shares, provided that if a son or daughter shall have predeceased the intestate, the lineal descendants of such son or daughter shall take the share which such son or daughter would have taken had he or she survived the intestate.

(b) Grand-children shall take in equal shares what their father or mother would have taken had he or she survived the intestate. In like manner, the property shall go to the surviving lineal descendants of the intestate, where they are all in the degree of great grand-children to him or in a more remote degree.

(c) In the absence of children and lineal descendants of how-low-so-ever a degree, a widow shall be entitled to a third of the self-acquired and separate property of the deceased; the remaining two-thirds shall in such cases, devolve on the father and the mother in equal shares; in the absence of the father or mother, the widow shall get an equal share with that of the surviving parent, in the absence of both father and the mother, the childless widow shall get the whole.

[Mr. L. R, Raja raja varma Koiltampuran,]

ഇൻറസ്റ്റേററ് സക്സഷൻ ഈ വിധം ഇൻഡ്രഡ്യൂസ്ചെയ്യുന്നതിൽ വലിയ അഭിപ്രായവ്യത്യാസമില്ല. ഇൻറസ്റ്റേററു ചെയ്യുന്നില്ലെങ്കിൽ അതു് മ്യൂച്ച്വൽ ബെനിഫിററ്ഫണ്ടിലേക്ക് ചേരണം. അതിന് വേറെ പ്രൊവിഷൻ ഉണ്ടാക്കിയിട്ടുണ്ട്. ഇൻറസ്റ്റേററു് ഗ്രാൻറു് ചിൽഡ്രൻ, അതിൽപിന്നീട്ടുള്ളവർ, എന്നിങ്ങനെ പടിപടിയായി പോയാൽ ഒരിക്കലും തീരാത്ത അവകാശക്രമമാണ്. ഒരു സ്റ്റേജ് കഴിഞ്ഞു് ഇൻഹെരിററൻസ് ശേഷമുള്ള മുഴവനും മ്യൂച്ച്വൽബെനിഫിററ് ഫണ്ടിൽ ചേരണമെന്നാണ് എൻെറ ഉദ്ദേശം. അതു നിമിത്തം പിൻതുടർച്ചാവകാശത്തിൽ അല്പവ്യത്യാസം വരുത്തിയാണ് എഴുതിയിട്ടുള്ളതു്.

(2) In the absence of heirs mentioned in Group (1) above, the father and the mother shall be entitled to succeed to the self-acquired and separate property of the deceased in equal shares and in the absence of one of these two, the other shall take the whole.

(3) In the absence of heirs mentioned in Groups (1) and (2), brothers and sisters of full-blood and the lineal descendants of such of them as shall have predeceased the intestate, shall be entitled to succeed to his self acquired and separate property in equal shares; the lineal descendants of the predeceased brothers or sisters shall be entitled only to suchshares as their ascendants, if alive, would have taken.

(4) In the absence of the heirs mentioned in the previous groups, brothers and sisters of half blood by the same mother only and the lineal descendants of such of them as shall have predeceased the intestate, shall be entitled to succeed to the self-acquired and separate property left undisposed of by him.

(5) In the absence of the heirs mentioned in the previous groups, the self-acquired and separate property of a deceased male shall devolve on his grandmother and the members of her Thavazhee.

ഇതിൽ കൊണ്ടുവന്നിരിക്കുന്നദായക്രമം നായർ റഗുലേഷനിൽ നിന്നുംഅല്പവ്യത്യാസമുള്ളതാണ്.

ഇതിൽ ഭാര്യക്കും ഭർത്താവിനും പിൻവഴി അവകാശം തുല്യമാക്കിയിട്ടുണ്ട്.

(6) In the absence of heirs mentioned in the previous Groups (1) to (5) inclusive the self-acquired and separate property left undisposed of by him at his death shall devolve on the "Mutual Benefit Fund" of Chapter VIII and be absorbed therein.

13. SUCCESSION TO AN INTESTATE FEMALE.

The provisions contained in Section 12 with husband substituted for widow shall apply *Mutatis Mutandis*.

14. GENERAL.

മിസ്റ്റർ മാധവൻപിള്ള കൊണ്ടുവന്നിട്ടുള്ള അടുത്ത ബില്ലിലെക്ലാസിൽ അല്പ വ്യത്യാസത്തോടുകൂടി കൊണ്ടുവന്നിട്ടുള്ള ക്ലാസാണ് ഇനിയത്തേതു്.

Property acquired by the husband or father, for the wife and children or by the wife or mother for the husband and children, or obtained by gift or inheritance shall

unless in the case of gift a contrary intention appears from the instrument or from any other written document, or unless otherwise settled already before the commencement of this Regulation belong to the widow or husband and children and lineal descendants of deceased children according to Sections 12 and 13, with right to individual partition on demand from the owner of such share concerned ; until it will be treated as sub-tarwad property.

DEPUTY PRESIDENT : I leave it to you.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*) :

"CHAPTER VI.

KUDIVAIPPU.

15. Subject to the following provisions "Kudivaippu" may be performed by any at the time of marriage or on any date subsequent thereto.

(a) No party to a marriage that has come into force and remains so before six months after the commencement of this Regulation shall perform "Kudivaippu" without the recorded consent of all the major members of the tarwads of both the parties.

(b) No tarwad that has a right of individuel partition on demand may perform "Kudivaippu."

കുടിവെപ്പിനെ സംബന്ധിച്ചു മുമ്പു പ്രസ്താവിച്ചു. അതിന്റെ അഞ്ചു ക്ലാസ്സും ഇവിടെ വായിച്ചു.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : അങ്ങിനെ വരുമ്പോൾ ഒരു ഭർത്താവിന് ഒരുഭാര്യയെ ഇഷ്ടംപോലെ വിവാഹം കഴിക്കാൻ സാധിക്കാതെ വരികയില്ലയൊ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*); ഇല്ല.

വിവാഹം കഴിഞ്ഞു് ആറു മാസം കഴിഞ്ഞതിൽപിന്നീടുള്ള വിവാഹത്തിനെ ബാധിക്കുകയില്ല. അതിന് മുമ്പുള്ള വിവാഹത്തിനെ മാത്രമെ ബാധിക്കുകയുള്ളു. ഈ റഗുലേഷൻ പാസായി ആറുമാസത്തെ സമയംകൊടുക്കുന്നുണ്ടു്. റഗുലേഷൻ പാസായതിൽപിന്നെ സമുദായം ആലോചിച്ച് ചില റൂൾസുണ്ടാക്കണം. അങ്ങിനെ ഉണ്ടാക്കിയതിൽ പിന്നെ നിശ്ചയമായും ഇതു ബാധിക്കുകയും വേണം. ജാതിസംബന്ധമായും മററും പലകുഴപ്പങ്ങളും ഉണ്ടാകാം. അതു് വരരുതെന്നുദ്ദേശിച്ചു് ഇന്റൈ യിംഷിമിററ് കൊടുക്കുകയാണ്. സൊസൈററിക്ക് അതിനുശേഷമുള്ള മാര്യേജിന് മുഴുവൻ സ്വാതന്ത്ര്യവും കൊടുത്തിട്ടുണ്ടു. മുമ്പുള്ള വിവാഹത്തെ സംബന്ധിച്ചിടത്തോളംതറവാടിന്റെഅനുവാദംഉണ്ടെങ്കിൽആകാം.

(c) Any husband with the consent of the wife and major children if any and any wife with the consent of the husband and major children if any may perform "Kndivaippu"

MR. A. THANU PILLAI (*Trivandrum*) : ഭാര്യയുടെ കുഡുംബത്തിലേക്ക് ഭർത്താവിനെക്കൂടി എടുക്കാമെന്നാണൊ പറയുന്നതു്?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*) ; അങ്ങിനെ ആകാം.

DEPUTY PRESIDENT : I can understand the husband affiliating the wife and children into his family. You now seem to contemplate the wife affiliating the husband and his children into her tarwad. Do you suggest that that should be permitted even without the permission of the members of her tarwad?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*) : അതെ. പാർട്ടീഷൻ വേണമെങ്കിൽ അതും മേടിച്ചുകൊള്ളാം.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : ഭർത്താവിനും ഭാര്യക്കുംകുടിവയ്പുണ്ടെങ്കിൽ അതിന് ഇപ്പോഴത്തെ നിയമം അനുവദിക്കുമൊ? ക്ഷത്രിയഭർത്താവിന് നായർഭാര്യയുടെ കുഡുംബത്തിൽ കുടിവയ്പ്ചെയ്യുന്നതിന് നായന്മാരുടെ ചട്ടം അനുവദിക്കേണ്ടേ? ക്ഷത്രിയരെ സംബന്ധിച്ചാണെങ്കിൽ ... ...

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*) : ലീഗൽ ആയിട്ടുള്ളതിനെ സ്ഥാപിക്കുന്നതിന് ശേഷമുള്ള റഗുലേഷനിൽഏതെല്ലാം ക്ലാസുകൾ ബാധകവും തടസ്സവുമായിരുന്നുവൊ അവയെ എല്ലാം തീർത്തു ക്ലാസുകളെ ഈ കൗൺസിലിൽ പാസാക്കീട്ടില്ലെ. അതുപോലെ ഒരു സമുദായത്തിന് തടസ്സമായി വരികയാണെങ്കിൽ ആ ഭാഗങ്ങളെ റഗുലേഷനിൽ പറഞ്ഞിട്ടുള്ളതിന് അപകടം വരാത്തവിധത്തിൽ ഇനിയും ആക്കിത്തീർക്കാവുന്നതാണ്.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : അതിന് മററു ചട്ടങ്ങളെ ഭേദപ്പെടുത്താതെ സാധിക്കുമൊ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*) : ഈ ബില്ലിന് ആവശ്യമുള്ളവിധത്തിൽ ഭേദപ്പെടുത്തണം.

DEPUTY PRESIDENT: You may put in a provision in this Bill, Mr. Kesava Pillai, that conflicting provisions in other Regulations are hereby repealed. There is no difficulty with respect to that. It is only the novelty of the scheme that strikes me.

You may go on, Mr. Koiltampuran.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*) :

> 'Children' includes the children of the husband by another wife or those of the wife by another husband or both or their children or all.
>
> (*d*) At the time of the 'Kudivaippu' the wife and children or husband shall be entitled to claim and get such of their share of their properties belonging to their natural tarwad as would have fallen to them if a division *per capita* were made at the time."

DEPUTY PRESIDENT: Does that become the property of the common tarwad or that of the affiliated tarwad?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): It becomes the property of the new sub-tarwad.

> (e) After 'Kudivaippu' they shall forfeit their membership and their rights in their natural tarwad and form along with their respective partners and children if any a sub-tarwad in their partner's tarwad, with all incidental privileges, and rights as appertain to members born therein.
>
> (f) Any such 'Kudivaippu' shall be performed only evidenced by the execution of a registered instrument wherein both the husband and wife and adult children if any shall be parties.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ഈ കുടിവയ്പ് എന്ന് പറയുന്നതു് വിവാഹം കഴിഞ്ഞ ഉടനെ ആണോ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): വേണമെന്നില്ലെന്നാണ് ഞാൻ മനസ്സിലാക്കിയിരിക്കുന്നതു്. മിസ്റ്റർ അച്യുതവാര്യർ കൈപ്പട എഴുതിയിട്ടുള്ള ഒരു ബില്ലിൽ നോക്കിയാണു ഞാൻ മനസ്സിലാക്കിയതു്. എനിക്കും അതിനെപ്പററി കൂടുതൽ വിവരമൊന്നുമില്ല. ഞാൻ കഴിവുള്ളിടത്തോളം അതിൽ നിന്നും പഠിച്ച് അതിനെ ഇവിടെ പ്രസ്താവിച്ചു എന്നല്ലാതെ എനിക്ക് അതിന്റെ പതിവിനെപ്പററി കൂടുതൽ വിവരമൊന്നുമില്ല. കുടിവയ്പ് എന്നതു് ഞാൻ കണ്ടിട്ടുമില്ല. ഞാൻ അന്വേഷിച്ച് മനസ്സിലാക്കി എഴുതിയിട്ടുള്ളതാണു് ഇതു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അതൊക്കെ വളരെ അത്യാവശ്യമാണെന്ന് തോന്നുന്നുണ്ടോ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): കുടിവയ്പ് അത്യാവശ്യമാണെന്ന് തോന്നുന്നില്ല. പാർട്ടീഷൻ ആവശ്യമാണു്. കുടിവയ്പ് നിർബന്ധമായി വേണമെന്നുള്ളവരും ഉണ്ടു്.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ഈ കുടിവയ്പ് എന്ന് വച്ചാൽ എന്താണ്?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): അതിനെപ്പററി മുമ്പുതന്നെ വായിച്ചു പറഞ്ഞു. അപ്പോൾ മെമ്പർ ഇവിടെ ഇല്ലായിരുന്നിരിക്കാം.

CHAPTER VIII.

THE MUTUAL BENEFIT FUND.

DEPUTY PRESIDENT: ചുരുക്കിപ്പറയണം. It is a new provision. It does not find a place in any other social legislation. So, it may be of interest to the House to know what it is.

MR. A. THANU PILLAI (*Trivandrum*): മ്യൂച്ച്വൽ ബെനിഫിററ് ഫണ്ട എന്നുപറഞ്ഞാൽ എന്താണെന്നു പറഞ്ഞാൽകൊള്ളാം.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): അതിനെപ്പററി പറയാം. അതിനെ സൃഷ്ടിക്കുന്നതിനുള്ള കാരണവും പറഞ്ഞിട്ടുണ്ട്.

DEPUTY PRESIDENT: No doubt, Mr. Koiltampuran has bestowed a lot of thought on the subject. The only question is whether his novel provisions would be in consonance with modern conceptions of legislation.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*):

> It is the duty of every society, no less of every responsible Government to see that every child is properly protected, maintained and educated. The principle that equal chances shall be given to all to come up in this world is more or less universally recognised. Help is being given too even at present; but not everywhere and when needed. I have attempted only to provide a uniformity for the same by making it obligatory under statute.

ഇതാണ് കാരണമായി എഴുതിയിട്ടുള്ളതു്. 'മ്യൂച്ച്വൽബനിഫിററ്ഫണ്ട് എന്താണെന്നു ഇനി പറയാം.

> 1. Subject to the following provisions, a mutual benefit fund shall be raised from the following sources for the benefit of the children of registered marriages under this Regulation and it shall be kept and managed by the Government as "Trust Fund" and utilised as per rules framed for the purpose under this Regulation.
>
> (1) The sources for the Fund are:
>
> (*a*) Intestate property mentioned in Chapter IV, Sections 13 (6) and 14 (4) under Inheritance, നാ-ാമത്തെ ക്ലാസിലുള്ള ഇൻറസ്റ്റേററ് പ്രാപർട്ടിയും അതു കഴിഞ്ഞുവരുന്ന ഇൻഹെരിറെൻസും മ്യൂച്ച്വൽ ബെനിഫിററ ഫണ്ടിൽ പോകുന്നമെന്ന് പറഞ്ഞിട്ടുണ്ട്.
>
> (*b*) A succession duty from heirs specified in sub-section (3) below: ഇതു് ഒരു പുതിയ ക്ലാസാണ്.

DEPUTY PRESIDENT: The 'succession duty' is, I think, one of the recommendations of the Karachi Congress.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): സക്സഷൺഡ്യൂട്ടി എന്നു പറഞ്ഞാൽ എന്താണു?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): സക്സഷൻ പിൻതുടർച്ചയായി കിട്ടണമെന്നു പറഞ്ഞിട്ടുണ്ട്. അച്ഛൻ മകൻ തലമുറയ്ക്ക് പിൻതുടർച്ചയായി അച്ഛൻെറ സ്വത്തു മകനുവരണം. ഒരാളിൻെറ സ്വത്തു പിന്നെയൊരാൾക്കു പിൻതുടരുമ്പോൾ ആകെയുള്ള സ്വത്തിൻെറ വില ഗവൺമെൻറിൽ നിന്നും നിയമിക്കപ്പെടുന്ന ഒരാൾ കണക്കാക്കി അതിൽ ഇത്ര എന്നു ഒരു പെർസെൻറേജ് തീർച്ചപ്പെടുത്തി അതടച്ചാലെ ആ വസ്തു അനുഭവിക്കാനുള്ള റൈററു കിട്ടുകയുള്ളൂ. അല്ലെങ്കിൽ ഇൻഹെരിറ്റൻസ് കിട്ടുകയില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): എല്ലാവർക്കും കൊടുക്കുന്നുണ്ടോ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): എല്ലാവർക്കും ഇല്ല. അടുത്ത ബന്ധമുള്ളവർക്കു വളരെ ഒബ്ലിഗേഷൻ വച്ചിട്ടുണ്ടു്. അവർക്കു് ഡ്യൂട്ടികൂടാതെ അവകാശമുണ്ടു്. അകന്ന ശാഖക്കാർ ജീവിച്ചിരിക്കുമ്പോൾ അയാളെപ്പററിചുമതല കുറച്ചേയുള്ളു. അതുകൊണ്ടു ഡ്യൂട്ടിയുമുണ്ടു്. അച്ഛൻ, അമ്മ, മകൻ, ഭർത്താവു്, ഭാര്യ ഇവർക്കു പിൻതുടരാൻ കൂടുതൽ ചാൻസാണു് ഇതുകൊണ്ടുള്ളതു്.

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): ഇങ്ങിനെ കൊടുക്കുന്നതിന്റെ ഉദ്ദേശം എന്താണു്?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ഇങ്ങിനെ കൊടുക്കുന്നതിന്റെ പ്രധാന ഉദ്ദേശം മ്യൂച്വൽ ഫണ്ടിനു സോർസ് ഉണ്ടാക്കണമെന്നാണു്. അതിനാൽ ഇങ്ങിനെ ഒരു ഫണ്ടു ഉണ്ടാക്കിയാൽ സമുദായത്തിലുള്ള നിസ്സഹായന്മാരായ ആളുകൾക്കു വലിയ സഹായമായി തീരുന്നതാണു്.

DEPUTY PRESIDENT: Suppose the Government at a future day levy a succession duty. At present you have provided that the collection should go into the common fund of the tarwad. Later on, if the Government also fix a general succession duty payable by all people alike, don't you think the Kshatriyas would be doubly taxed? They pay once under the provision you now suggest; they may also have to pay to Government.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ഗവണ്മെന്റു നിർബന്ധമായി നിശ്ചയിക്കുന്നു എങ്കിൽ ഇതിൽ കൂടുതലായും ബാധിപ്പിക്കാം. അല്ലാത്ത പക്ഷം ബാധിക്കുകയുമില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): ഗവണ്മെന്റിൽ നിന്നും വെയ്ക്കുന്ന സക്സഷൻഡ്യൂട്ടി ഗവണ്മെന്റു റവന്യൂവിൽ ചേരുന്നതാണോ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ഒരു പ്രിൻസിപ്പിൾ ഉണ്ടു്. ഒരേ സംഗതിക്കു രണ്ടു ടാക്സ് ചെയ്യാൻ പാടില്ല.

DEPUTY PRESIDENT: Your tarwad will then be doubly taxed. You tax yourself in the first instance now; and Government may tax you later under the general scheme, if they have one like that.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): അങ്ങിനെ ന്യായമുണ്ടെങ്കിൽ ചെയ്യട്ടെ.

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): ഈ സക്സഷൻഡ്യൂട്ടി പ്രത്യേകം വയ്ക്കേണ്ടയാവശ്യമുണ്ടോ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ഞാൻ മുഴുവനും പറഞ്ഞില്ല. സക്സെഷൻഡ്യൂട്ടി എന്താണെന്നു പറഞ്ഞ വിവരണത്തിൽ അതു പറഞ്ഞു എന്നേയുള്ളു.

(c) Any contribution.

(2) The Government may take charge, appropriate and add to this fund as occasion arises all the property mentioned in Section 13 (6) and 14 (4), invest them in proper securities, convert them as they please, and do all the needful, according to their discretion for a safe investment with profitable yield.

(3) The Government may also impose and collect a succession duty of not above five per cent on the assessed value of all such property descending other than to the parties to the marriage or their direct lineal descendants as per devolution traced out in Chapter IV, under rules prescribed.

(4) Every minority marumakathayee.

The word 'Kshatriya' may be substituted in the place of the expression 'minority marumakathayee'.

(4) Every minority marumakathayee under-aged, indigent and unable to get sufficient maintenance from others mentioned in Section 10 shall have a right to get as much maintenance for his or her proper upkeep and education from the available fund as circumstances would justify.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Krtikapalli*): ഒരു സ്ഥാപനം ഉണ്ടെന്നു പറഞ്ഞതിൽ നിന്നും ഒരാളിനു അഞ്ചു രൂപാ വേണമെന്നുണ്ടു്. രണ്ടു രൂപാ അയാൾക്കു മററു വിധത്തിൽ കിട്ടും. ബാക്കി മൂന്നു രൂപാ എങ്ങിനെ കിട്ടും?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): എല്ലാവർക്കും തുല്യമായിട്ടു ആവശ്യമുള്ളിടത്തോളം കൊടുക്കണം.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ഒരാളിൻെറ ആവശ്യത്തിനു അഞ്ചു രൂപാ വേണം. അതിൽ സെക്‌ഷൻ ൧൦-ൻ പ്രകാരം ൨ രൂപാ കിട്ടുന്നുണ്ടു്. ബാക്കി ൩ രൂപാ സക്സെഷൻ ഫണ്ടിൽനിന്നും കൊടുക്കണമെന്നാണൊ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): അതെ.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അത്രത്തോളം കൊടുക്കുന്നതിനു ഫണ്ടു ഇല്ലെങ്കിൽ എന്തു ചെയ്യും?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ഫണ്ടിൽ ഉള്ളിടത്തോളം കൊടുത്താൽ മതി.

ഇതുമുഴുവൻ വായിച്ചുകേട്ടതിനുശേഷം ചോദ്യം ചോദിച്ചാൽ കൊള്ളാം.

In fixing the distribution, though the minimum for an individual shall depend on the available fund, the maximum shall not exceed what is just necessary in the discretion of the Government to meet the absolute living needs and proper education of such indigent minor beneficiaries grown up and necessary expenses of proper maintenance and up-keep in case of child orphans.

Such maintenance allowed shall be drawn and utilised for the minor by such person at such time and in such manner as the Government fix."

The Government may appoint a committee consisting of officials or non-officials or both belonging to the Kshatriya community for each convenient local area or division to help Government with suggestions and recommendations in the operation of the provisions under this Chapter including the proportion of the list of beneficiaries to be taken in for each period.

The committee may consider also the rules prescribed under this Regulation and their effect and may recommend suggestions for improvement, ommissions or additions therein.

The Government may prescribe necessary rules consistent with these provisions for the effective working of this Section.

മിസ്റ്റർ ആശാൻ പറഞ്ഞ പായിൻറ് ഇതിൽ വന്നിട്ടില്ലാഎന്നു തോന്നുന്നു. കമ്മററിയിൽ നിന്നും റാംസ്പ്രെയിം ചെയ്യുന്നതനുസരിച്ചു കൊടുക്കാൻ സൌകര്യം വരുമ്പോൾ കൊടുക്കണം. കുറെ സമയം കഴിഞ്ഞിട്ടേ ഫണ്ടു മതിയാകുകയുള്ളു എന്നു വരുകിൽ ഇപ്പോൾ ഫണ്ടു സ്റ്റാർട്ടു ചെയ്തു കുറെകഴിഞ്ഞുകൊടുത്തു തുടങ്ങിയാൽകൂടുതൽസൌകര്യം ഉണ്ടാകും.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): തികഞ്ഞിട്ടു കൊടുത്താൽ മതിയോ?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): എണ്ണം വളരെ കുറവാണ്. അതനുസരിച്ചു കൊടുത്താൽമതിയല്ലൊ.

പാർട്ടിഷൻ സംബന്ധിച്ച ക്ലാസ് വായിക്കണമെന്നു വിചാരിക്കുന്നില്ല.

പൂർണ്ണമായ അററ ആളോഹരി പാർട്ടിഷൻ ആണ് ആവശ്യപ്പെടുന്നതു്. ആവശ്യമില്ലാത്ത പക്ഷം കൊടുക്കണമെന്നു നിർബന്ധം വച്ചിട്ടില്ല. ആവശ്യമുള്ളവക്കു കൊടുക്കണം. ഈ അദ്ധ്യായം അത്യാവശ്യമാണ്. നായർ റെഗുലേഷൻ സംബന്ധിച്ചിടത്തോളം പാർട്ടിഷൻ ചില കണ്ടിഷൻസിൽ മാത്രമെയുള്ളു. ഇതിൽ ആരു് എപ്പോൾ ആവശ്യപ്പെട്ടാലും നിശ്ചയമായും പാർട്ടിഷൻ കൊടുക്കണമെന്നുള്ളതാണ് എൻെറ അഭിപ്രായം. പാർട്ടിഷനെ സംബന്ധിച്ച് ഒരു ബിൽ മിസ്റ്റർ ആശാൻ അവതരിപ്പിക്കുന്നുണ്ടു്. പൊതു വകുപ്പുകൾക്കു പുറമേ നായർ റെഗുലേഷനിലെ ഒരു വകുപ്പിനെ അമൻറു ചെയ്തുചേർക്കണമെന്നും ഉണ്ടു്. ആ തത്വം അങ്ങിനെ നായർ റെഗുലേഷനിൽ മാത്രം പോരാ. ക്ഷത്രിയ

[Mr. L. R. Raja Raja varma Koli tampuran.]

റഗുലേഷനിലും വേണ്ടതായിവരും. പാർട്ടീഷൻ ഡിമാൻറു ചെയ്യുന്നതു കോർട്ടുമുഖേനയും നോട്ടീസ് മുഖേനയും മററും പ്രത്യേകമാർഗ്ഗങ്ങൾ അദ്ദേഹം നിർദ്ദേശിച്ചിരിക്കുന്നു. നായർ റഗുലേഷനെ മാത്രം ഉദ്ദേശിച്ചാണ് മിസ്റ്റർ ആശാൻ ഇപ്പോൾ അതു കൊണ്ടുവന്നിരിക്കുന്നതു്. അതുൾപ്പെടെ ഭാഗവ്യവസ്ഥ ക്ഷത്രിയ ബില്ലിലും കൊണ്ടുവരണം.

ഇത്രയും സംഗതികൾ പുതുതായി സിലക്ട്കമ്മിററിയുടെ ആലോചനയ്ക്കു വിഷയീഭവിക്കേണ്ടതാണ്. ഈ അഭിപ്രായങ്ങളൊക്കെ കൊണ്ടുവന്നതു പിന്നീടു തടസ്സംവരരുതു് എന്നുവച്ചാണ്. ബില്ലിൻെറ സെക്കൻറ് റീഡിംഗിൽ അമൻറുമെൻറു മൂവ് ചെയ്യണമെന്നു വിചാരിച്ചാൽ തടയരുതെന്നുദ്ദേശിച്ചാണ് ഇത്രയും ക്ലാസുകൾ സിലക്ട്കമ്മിററിയിൽ ആലോചിക്കാൻ ഇവിടെ കൊണ്ടുവന്നതു്.

DEPUTY PRESIDENT: ഇത്രയും സംഗതികൾ വരുമെന്ന് ആരും ഗ്യാറൻറിചെയ്കയില്ല.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): അതുതന്നെയാണു പറയാൻപോകുന്നതു്. ഇത്രയും സംഗതികൾ സിലക്ട്കമ്മിററിയിൽ ആലോചനയ്ക്കു വരണമെന്നല്ലാതെ ഇത്രയും പാസാക്കണമെന്നു പറയുന്നതിൽ വിശേഷാൽ അർത്ഥമില്ല. ബിൽ സിലക്ട്കമ്മിററിയിൽ ആലോചനയ്ക്കു ശരിയായി വേണ്ടതെല്ലാം എടുത്താൽ മൈനാറിട്ടി മരുമക്കത്തായികളായിയുള്ളവർക്ക് ഓരോവർഗ്ഗത്തിനും പ്രത്യേകം പ്രത്യേകം ബിൽ ഉണ്ടാക്കേണ്ടയാവശ്യമില്ല.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ഈ രണ്ടു ബില്ലും കൂട്ടിച്ചേർത്താൽ ക്ഷത്രിയരെ മാത്രമല്ലേ ബാധിക്കുകയുള്ളു?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): അതിനെപ്പററി പിന്നീടു പറയാൻപോകുന്നു. ക്ഷത്രിയബിൽ എന്നുള്ള പേർമാററി ഇതിനെ വൈഡൻചെയ്യാം. നമ്പൂതിരിബിൽ, മലയാളബ്രാഹ്മണബിൽ എന്നാണ് പാസായതു്. അതിനാൽ പേർ മാററുന്നതുകൊണ്ടു തരക്കേടില്ല. അതു ചെയ്യുന്നതി(നു) സിലക്ട്കമ്മിററിക്ക് അവകാശമുണ്ടു്. രണ്ടു ബിൽവരുന്നതു പലപ്രകാരത്തിലും വലിയ ബുദ്ധിമുട്ടാണ്. ഇപ്രകാരമായാൽ പ്രത്യേകം മൈനാറിട്ടിബിൽ ഇൻട്രൊഡ്യൂസ് ചെയ്യേണ്ട യാതൊരാവശ്യവുമില്ല. ക്ഷത്രിയബില്ലിനെപ്പററി ആലോചിച്ചുവരവേ ഒരു മൈനാറിട്ടിബിൽ ആയി രൂപാന്തരപ്പെടുത്തേണ്ടിവന്നപ്പോൾ ഇതിലുൾപ്പെട്ട സാമന്തർമുതലായവരുമായി ആലോചിക്കുകയും പല ക്ലാസുകളെപ്പററിയും അവർ അഭിപ്രായ

പറയുകയും ചെയ്തിട്ടുണ്ട്. പലരും ഈ ക്ലാസുകളെ സമ്മതിക്കുന്നുണ്ട്. പ്രസിദ്ധംചെയ്ത മൈനാറിട്ടി മരുമക്കത്തായം ബിൽ തത്വം സമ്മതിക്കുന്നു എന്ന് പലരും ഒപ്പിട്ട ഒരു ഹർജി കഴിഞ്ഞ നിയമസഭയിൽ കൊടുത്തിട്ടുണ്ട്.

DEPUTY PRESIDENT: ഇനി അഞ്ചുമിനിട്ടേയുള്ളു.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN *Changanachery* cum *Peermade)* : അതുകൊണ്ട് ഈ സംഗതികൾകൂടി സിലക്ട്കമ്മിററിയുടെ ആലോചനയ്ക്കു തുല്യപ്രധാനമായി വിഷയീഭവിക്കണമെന്നു മാത്രമെ പറയുവാനുള്ളു. പലപുസ്തകങ്ങളും റഗുലേഷനും നോക്കിയശേഷം ഒന്നൊ രണ്ടൊ വാക്കുകൾക്കു മാററംചെയ്യുന്നു എങ്കിൽ അതു് ഒരു നഷ്ടമായി ഞാൻ വിചാരിക്കുന്നില്ല. ഇത്രയും ഭേദഗതിയോടെ ഈ ക്ഷത്രിയ ബില്ലിനെ അനുകൂലിച്ചുകൊള്ളുന്നു.

DEPUTY PRESIDENT : If you withdraw your Bill, Mr. Raja Raja Varma, we can authorise the Select Committee to go into the observations made by you and incorporate them in the draft Bill itself. Are you for that proposition?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): സിലകററ്കമ്മിററിയിൽ ഈ സംഗതികളെപ്പററി കൂടെ പര്യാലോചിച്ചു തീരുമാനം ചെയ്താൽമതി.

DEPUTY PRESIDENT : The Kshatriya Bill is presented for the consideration of the House by Mr. Revati Nal Rama Varma Raja. The provisions in the draft Bill submitted by Mr. Raja Raja Varma in several respects agree with the provisions of the Bill that we are discussing and in some cases go beyond the provisions. As he himself pointed out, there is no necessity for having these two Bills for consideration by two distinct Select Committee s which may probably find it difficult to arrive at a satisfactory solution. In view of the assurance given by Mr. Raja Raja Varma, that he won't move his Bill, if the Select Committee appointed to revise the Kshatriya Bill be empowered to take up for consideration the observations that he now made, relating to the Minority Marumakkatayam Bill and if the Select Committee is empowered to take evidence and consider the provisions of this Bill as detailed by him, he does not propose to move that Bill. I think it is open to the House to empower the Select Committee later on when referring this Bill for consideration, to consider the observations made by Mr. Raja Raja Varma and incorporate them in this Bill. If agreeable, the Select Committee can widen the scope of the Kshatriya Bill. With these reservations, I suppose, you have no objection to the principle of the Bill being affirmed.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*) : Yes, Sir.

DEPUTY PRESIDENT: May I take it that the principle of the Bill is affirmed without prejudice to the rights of the Select Committee to go into the other questions raised by Mr. Raja Raja Varma?

The principle was affirmed.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): We have to make certain observations.

DEPUTY PRESIDENT: I was waiting for a sufficient time. But no observations were made.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): We thought, as soon as the President rose, that something else is going to happen.

DEPUTY PRESIDENT: My time is up. In fact this Council cannot finally dispose of it.

Mr. Madhavan, you may read the title of the Bill.

MR. C. O. MADHAVAN (*Secretary to the Legislative Council*): The Travancore Kshatriya Bill.

DEPUTY PRESIDENT: Then the next question will be, to refer the Bill to the Select Committee. I would just suggest that the House may agree to the adjournment to consider that question at another session of the Legislative Council, so that the Council which will practically deal with it may nominate its own representatives to work at the Select Committee. Because as the Standing Order runs immediately after the principle of the Bill is affirmed, the member in charge of the Bill shall move for it being referred to the Select Committee. If he does not do it, then he shall not move for its consideration before the expiry of 15 days. It would look as if we do not appear to want it. But a later Standing Order distinctly says that members of the Select Committee may be nominated by the Council simultaneously or at another sitting of the Council.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Please refer to Standing Order 33.

DEPUTY PRESIDENT: I propose to take advantage of that and get permission of the House to defer. standing order 33 reads thus:—

> "The official member in charge of the Department to which the Bill relates and the member who introduced the Bill shall be members of every Select Committee and it shall not be necessary to include their names in any motion for the appointment of a Committee".

But practically all of us cease to be members in a few days.

The House will now agree to the Bill being referred to a Select Committee. But the nomination of members for the Select Committee shall be made at a subsequent sitting. What is your objection?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): I have no objection.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): The principle of the Bill even though affirmed, a difficulty is bound to arise. Because the House has affirmed the principle of the Bill, therefore, some other

members may happen to be members of the Select Committee. They may be debarred from raising questions which have not been raised just now. There are so many questions which have to be raised and which have been raised. At least we wanted to raise those questions at the Select Committee which will sit over this Bill which may or may not consider them. There is no guarantee to the effect that the mover of the Bill, Mr. Raja may continue to be a member. If the mover goes out, some one will take up the Bill. But that does not necessitate Mr. Raja to be a member of the Select Committee and that Select Committee is not bound to go on the considerations on which Mr. Koiltampuran moved the Bill.

DEPUTY PRESIDENT: He does not move his Bill.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): My doubt is, whether his intention is still to move that Bill, provided the Select Committee is willing to give effect to the consideration of his Bill.

DEPUTY PRESIDENT: We will empower the Select Committee to consider his observations. If Mr. Koiltampuran withdraws the Bill, will the House agree?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): The House will agree.

DEPUTY PRESIDENT: Mr. Koiltampuran, I suppose, you are agreeable to not moving your Bill?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): അങ്ങുംകൂടി റെഫർചെയ്യുന്നു എങ്കിൽ എനിക്കു വിരോധമില്ല.

DEPUTY PRESIDENT: So you are not moving the Bill. I said that the order of reference to the Select Committee will be to consider the observations made by you just now as well.

MR. L. R. RAJA RAJA VARMA KOIL TAMUPRAN (*Changanachery* cum *Peermade*): I am agreeable, provided, that my observations now including the other provisions of the Minority Marumakkathayam Bill are duly considered.

DEPUTY PRESIDENT; So, the principle of the Bill, I take it, is affirmed. Will you kindly withdraw your Bill, Mr. L. R. Raja Raja Varma?

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): Sir, I don't move my Bill.

The House agreed to the Bill being referred to a Select Committee with power to take evidence and embody such of the provisions of the minority Marumakkathayam Bill as the Committee think proper and widen the scope of the Kshatriya Bill if they considered that course necessary. The House further agreed that the selection of members of the Committee might be made at a future sitting of the Council as per Standing Order 33.

DEPUTY PRESIDENT: Mr. Kesava Pillai, you may move your adjournment motion.

ADJOURNMENT MOTION *re* ECONOMIC DEPRESSION.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): തിരുവിതാംകൂറിലെ സാമ്പത്തികനില എത്രയും പരിതാപകരമായിക്കുന്നു എന്നുള്ള സംഗതി എല്ലാവക്കും അറിയാം. കഴിഞ്ഞ പ്രജാസഭയിൽ ദിവാൻജി അവർകളുടെ പ്രസംഗത്തിൽ സാമ്പത്തികാധഃപതനം വളരെ ഗൌരവമായിട്ടുള്ള ഒന്നാണെന്നും അതുനിമിത്തം ഉണ്ടായിട്ടുള്ള സങ്കടത്തിന്റെ നിവാരണത്തിനായി ഏതാനും സംഖ്യ അനുവദിക്കാമെന്നും സമ്മതിച്ചിട്ടുണ്ടായിരുന്നു. ആ കൂട്ടത്തിൽ ഇതിലേക്കു ഒരു നിവൃത്തിമാർഗ്ഗം കണ്ടുപിടിക്കുന്നതിനായി ഒരു കമ്മിററിരൂപീകരിക്കാമെന്നുള്ള ഒരു വാഗ്ദത്തവും ഉണ്ടായിരുന്നു. കമ്മിററിരൂപീകരിക്കുന്നതു സംബന്ധിച്ചു വേണ്ട ഏർപ്പാടുകൾ നടന്നുവരുന്നതായി സ്വല്പംമുൻപേ എനിക്കു അറിവുകിട്ടിഎന്നു വരുകിലും ദ്രുതഗതിയായി പെരുമാറേണ്ട സംഗതികളിൽ ഇതുമാതിരിയുള്ള താമസം വരുത്തുന്നതു പൊതുജനങ്ങൾക്കു വളരെ സങ്കടകരമായിട്ടുള്ള സംഗതിയാകുന്നു. ഇന്നു് കൊപ്രാ, കുരുമുളക്, കയറു മുതലായ സാമാനങ്ങൾക്കു വിലയില്ലാതെ കൃഷിക്കാർവളരെ സങ്കടം അനുഭവിച്ചുവരികയാണ്. കച്ചവടക്കാരുടെയും കഥ ഇതുതന്നെ. വ്യവസായ സംബന്ധമായി പറയുന്നപക്ഷം ഇരണിയലുള്ള പട്ടാര്യന്മാരുടെ കസവുതരങ്ങൾ വാങ്ങിക്കുന്നതിനു ആളുകൾഇല്ല. ഇതുപോലെ മററു പല തൊഴിലാളികളും കഷ്ടപ്പെടുന്നുണ്ട്. കൃഷിവായ്പവാങ്ങിച്ചവർ അതു തിരിയെ ഒടുക്കാൻ നിവൃത്തിയില്ലാതെ സങ്കടപ്പെടുന്നു. കരം കൊടുക്കാൻ നിവൃത്തിയില്ലാത്തതിനാൽ പ്രവൃത്തികാരന്മാർ ഡിമാൻറുനോട്ടീസുമുതലായ നടപടികൾനടത്തിമുരശടിവരെ എത്തിയിട്ടുണ്ട്. ഭൂസ്വത്തു കൊടുത്താലും വാങ്ങിക്കാൻ ആളില്ല. അന്യനാട്ടിലും ഉള്ള സാമ്പത്തികാധഃപതനംകൊണ്ടു സിലോൺ, എഫ്. എം. എസ്. മുതലായ സ്ഥലങ്ങളിൽ നിന്ന് ആയിരക്കണക്കായ കൂലിക്കാർആഹാരത്തിനു വകയില്ലാതെ ഇവിടെവന്നു കഷ്ടത അനുഭവിക്കുന്നു. എസ്റ്റേററുകളിൽനിന്നും കൂലിക്കാരെ പിരിച്ചുവിടുക നിമിത്തം അവരും അങ്ങും ഇങ്ങുംഅലഞ്ഞുതിരിയുന്നു. പണം കൊടുക്കാൻ നിവൃത്തിയില്ലാതെ ചിട്ടിമുൻപന്മാരും ചിററാളന്മാരും സങ്കടപ്പെടുന്നു. അഞ്ചോപത്തോ തവണകൊണ്ടു പണംകെട്ടിവയ്ക്കാമെന്ന കരാറിന്മേൽ പുതുവൽഭൂമി പതിച്ചുവാങ്ങിയിട്ടുള്ളവർ പണം ഒടുക്കാൻ വഴിയില്ലാതെ വിഷമിക്കുന്നു. ഇങ്ങനെയിരിക്കുന്ന സന്ദർഭത്തിൽ കലാൽ കുത്തകക്കാരരായ ഷാപ്പുകോൺട്രാക്ടന്മാർ, മുന്നാണ്ടു കൂടുതൽ ആദായം കിട്ടിയിട്ടുള്ളതിനാൽ ഈ ആണ്ടിലും കൂടുതൽ ആദായം കിട്ടും എന്ന് എക്സൈസ് കമ്മീഷണർഅറി

യിച്ചതിനെ ആസ്പദമാക്കി, തുകക്കൂട്ടി കൺട്രാക്ററുപിടിച്ച് ആദായം ഇല്ലാതെ വലയുന്നു.

MR. P. GOMATINAYAKAM PILLAI (*Excise Commissioner*): There was some reference about the Excise Commissioner. What is that, please?

DEPUTY PRESIDENT: Contractors expect the very same profit this year also, since the Excise Commissioner is favourable to them. That is what Mr. T. C. Kesava Pillai says.

MR. P. GOMATINYAKAM PILLAI (*Excise Commissioner*): No such promise is held out to them.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ലേലം വിളിക്കുന്ന സ്ഥലത്തു മുന്നാണ്ടത്തെ കണക്കു കെട്ടിത്തൂക്കിയിരിക്കുന്നതു് എക്സൈസ്കമ്മീഷണരുടെ ഒരു വാഗ്ദത്തമായിട്ടേ വിചാരിക്കാൻ തരമുള്ളു. ഷാപ്പു കൺട്രാക്ററന്മാർ പരമാത്ഥത്തിൽ ആശ്വാസപ്പെട്ടുവരേണ്ടവരാണെന്നു വരുകിലും അവരുടെ കാര്യത്തിൽ കൂടി ഗവണ്മെൻറിൻെറ ശ്രദ്ധ പതിയേണ്ടതാണെന്ന് അവരുടേയും പ്രതിനിധിയായി വന്നിരിക്കുന്ന ഞാൻ അറിയിച്ചുകൊള്ളുന്നു.

ഇപ്രകാരം കുഴങ്ങിയിരിക്കുന്നതായ ഈ ഘട്ടത്തിൽ ഗവണ്മെൻറു് എന്താണു ചെയ്യുന്നതു്. ഒന്നരലക്ഷം രൂപാ കൃഷിവായ്പ കൊടുത്തു ജനങ്ങളുടെ സങ്കടനിവൃത്തി വരുത്തിക്കളയാമെന്നുമാത്രം വിചാരിച്ചാൽ പോരാ. ഈ വിഷയത്തെ സംബന്ധിച്ച് ഏതാനും സംഗതികൾ ഞാൻ ഗവണ്മെൻറിൻെറ ശ്രദ്ധയിൽ കൊണ്ടുവന്നുകൊള്ളട്ടെ?

നാഞ്ചിനാടുമുതലായ സ്ഥലങ്ങളിൽ ഉള്ള തങ്ങളുടെ നിലങ്ങളിൽ നിന്നും ആദായം കിട്ടുമെന്ന വിചാരത്താൽ ചിട്ടിയാൽ ചേർന്നു പണം കൊടുക്കാൻ നിവൃത്തിയില്ലാതെ പലരുംവിഷമിക്കുന്നുണ്ടു്. അതുകൊണ്ടു് അവക്കു് ഒരാണ്ടത്തെ കരം കുറച്ചുകൊടുക്കണം.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): എല്ലാ സ്ഥലത്തും കരം കുറച്ചുകൊടുക്കണൊ; അല്ല നാഞ്ചനാട്ടുമാത്രം മതിയൊ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): തിരുവിതാംകൂർ ഒട്ടുക്കുവേണം.

DEPUTY PRESIDENT: That is remission of tax for one year. തല്ക്കാലം ഒന്നു പറഞ്ഞു എന്നേയുള്ളു. I presume, your first proposal is remission of tax for one year.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): കൃഷിവായ്പയിനത്തിൽ അനുവദിച്ചിട്ടുള്ള ഒന്നരലക്ഷം രൂപായ്ക്കു് പകരം അതു അഞ്ചുലക്ഷംരൂപായായി വർദ്ധിപ്പിക്കയും ഇൻഡസ്ട്രിയൽ ലോൺ ആയിട്ടു നാലുലക്ഷം രൂപാ അനുവദിക്കയും ചെയ്തു് ഈ സംഖ്യ എല്ലാസാധുക്കൾക്കും കിട്ടത്തക്കവണ്ണം വിതരണം ചെയ്യണം.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cam *Kartikapalli*): സാധുക്കൾ വായ്പമേടിച്ചാൽ ഈടു കൊടുക്കുമൊ?

DEPUTY PRESIDENT: Agriculturists want money to raise more paddy and then will find it difficult to pay back the money.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): കൃഷിവായ്പ ഇനത്തിലുള്ള തുകയൊക്കെ കൃഷിനന്നാക്കാൻ കൊടുക്കണം.

DEPUTY PRESIDENT: That is to say, to help the agriculturists to raise more paddy and find it difficult to get it back.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): വിദേശത്തുനിന്നും കൂലിക്കാർ ധാരാളമായി വന്നുകൊണ്ടിരിക്കുന്നു.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ഒരു സ്ഥലത്തെ മുതലുടമസ്ഥന്മാരുടെ ജാമ്യം ഉണ്ടായിരുന്നാൽ സാധുക്കൾക്കു ഗവൺമെൻറിൽനിന്നും കടം കൊടുക്കുന്നതിൽ വിരോധമുണ്ടോ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ഒരു വിരോധവുമില്ല.

MR. N. K. KRISHNA PILLAI (*Neyyattinarka*): ഈടുകൊടുക്കണമെന്നു കൃഷിവായ്പ റഗുലേഷനിൽ നിർബന്ധം ഇല്ല എന്നറിയാമൊ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): അറിയാം. ഇരുന്നൂറുരൂപയ്ക്കകമാണെങ്കിൽ ഈടുകൊടുക്കേണ്ട ആവശ്യം ഇല്ല.

DEPUTY PRESIDENT: There is agricultural loan; there is the industrial loan.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): കൃഷിവായ്പയിൽ തവണമുടക്കമുള്ള ആളുകൾക്കു മുടക്കം വന്നിട്ടുള്ള തവണകളെ ഒരു വായ്പയായിത്തന്നെവകവച്ചു കാലാവധികൂട്ടിക്കൊടുക്കണം.

DEPUTY PESIDENT: That is, extention of time for repayment of agricultural loans.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): നാട്ടിന്റെ നാനാഭാഗങ്ങളിലുമുള്ള പരസ്പരസഹായസംഘങ്ങൾക്കു ധാരാളം പണംഗവൺമെൻറിൽനിന്നും കൊടുത്തു് അവർമുഖാന്തിരം ജനങ്ങൾക്കു വായ്പകൊടുത്തു നാട്ടൊട്ടുക്കു പണം കൈകാര്യം ചെയ്യുന്നതിനു കൂടുതൽ സൌകര്യം ഉണ്ടാക്കിക്കൊടുക്കണം.

MR. R. RAMAN PILLAI (*Kottayam*): നികുതിമുഴുവൻ ഇളച്ചുകൊടുക്കണമെന്നും ഗവൺമെൻറിൽ നിന്നുംധാരാളം പണം വിതരണം ചെയ്യണമെന്നും ഒരേസമയത്തു് ആവശ്യപ്പെട്ടാൽ ഗവൺമെൻറിനു പണം ഉണ്ടാക്കുവാനുള്ള മററുമാർഗ്ഗമെന്താണു്?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : അതി ഷെപ്പററിപറയാം. അതുവരെ കറച്ചുക്ഷമിക്കണം.

തിരുവിതാംകൂറിലുള്ള വലിയ വലിയ കൺട്രാക്ററുകൾ വിദേശികൾക്കും ഏതാനും ചിലമുതലാളിമാക്കും മാത്രമാണു കൊടുത്തുവരുന്നതു്. ഈ കൺട്രാക്ററുകൾ കഴിയുന്നതും ചെറിയ ചെറിയ അംശങ്ങളാക്കി കഴിയുന്നിടത്തോളം കൂടുതൽ ആളുകൾക്കു കിട്ടത്തക്കവണ്ണം കൊടുക്കണം.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അതുകൊണ്ടു് എത്ര പേരുടെ ദാരിദ്ര്യം നീങ്ങും?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : ധാരാളം ആളുകളുടെ ദാരിദ്ര്യം നീങ്ങും. അതായതു് ആയിരത്തിലധികം ജനങ്ങളുടെ ദാരിദ്ര്യത്തിനു ഒരു ശമനംഉണ്ടാകും.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): ഇപ്പോഴത്തെക്കാൾ കൂടുതൽ ആളുകളുടെ ദാരിദ്ര്യം നീങ്ങുകില്ലേ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : നീങ്ങും. ഇതിൽ കൺട്രാക്ടു് കൊടുക്കുന്നതിൽ അതുകൊടുക്കുന്ന ആൾക്കു ചില കമ്മീഷനും മററുമൊക്കെ ഉണ്ടു്. കാൺട്രാക്ടു് ഇപ്രകാരം കൊടുക്കുന്നതായിരുന്നാൽ ഈ കമ്മിഷൻ തുടങ്ങിയുള്ള അഴിമതികൾക്കു കുറവുവന്നേക്കാം.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): ഈവിധം ദുരാചാരം ധാരാളം നടക്കുന്നുണ്ടെന്നാണോ മെംബർ വിചാരിക്കുന്നതു്?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ഈ ചോദ്യത്തിനു ഞാൻ മറുപടി പറയുന്നപക്ഷം ഞാൻ ചിലകേസുകളിൽ പ്രതിയാകേണ്ടിവന്നേക്കും.

ചിട്ടിറഗുലേഷനിൽ ഒരുഭേദഗതിവരുത്താനുണ്ടു്. അതായതു് ആറുമാസത്തിൽ ഒരിക്കലുള്ള ചിട്ടി ഒരു കൊല്ലത്തിൽ ഒരിക്കലേ നടത്താവൂഎന്നു ഗവൺമെൻറിൽനിന്നും ഒരു നോട്ടിഫിക്കേഷൻ ഇഷ്യൂചെയ്യണം.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : ചിട്ടിമാററി വയ്ക്കാൻ ചിററാളനും മുന്നാളനും അവകാശം ഇല്ലേ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : ഉണ്ടു്. പക്ഷെ നടന്നില്ലെന്നും വന്നേയ്ക്കാം.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : അവർക്കും സങ്കടമുണ്ടല്ലോ.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ഗവണ്മെൻറിനു അധികാരമുള്ള സ്ഥിതിക്കു ഗവണ്മെൻറിൽ നിന്നു തന്നെ ഇങ്ങനെ ചെയ്യാം.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): ചിട്ടിമാററിവച്ചാൽ ചിട്ടിപിടിക്കാനുള്ള ആളുകൾക്കു സങ്കടമുണ്ടാകയില്ലേ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): കുറെ സങ്കടം ഉണ്ടാകാതെ ഒന്നും സാധിക്കയില്ലല്ലോ.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): സങ്കടപ്പെട്ട കക്ഷികൾ എല്ലാംകൂടി വിചാരിച്ചാൽ തീരുമാനിക്കാവുന്ന ഒരു സംഗതിക്കു രാജ്യം ഒട്ടുക്കു ബാധിക്കുന്ന ഒരു നിയമം ഉണ്ടാക്കണം എന്നാണോ പറയുന്നതു്?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): അങ്ങനെ തീരുമാനിക്കണം.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ഇവിടെ പറയുന്ന അഭിപ്രായം ശരിയാണൊ എന്നു പരിശോധിക്കാനാണു ഞാനിതു ചോദിക്കുന്നതു്. ചിട്ടിപിടിച്ചു കടം തീക്കാമെന്നു വിചാരിക്കുന്ന ഒരാൾക്കു ഉപദ്രവം ഉണ്ടാകത്തക്കവണ്ണം ചിട്ടിമാററിവയ്ക്കണം എന്നാണൊ പറയുന്നതു്?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ചിട്ടിപിടിച്ചു ആൾക്കു തിരിയെ പണം കൊടുക്കാൻ നിവൃത്തിയില്ലാത്തതുകൊണ്ടു് അവരുടെ സ്ഥാവരവസ്തുക്കൾ ലേലത്തിൽപോയ്പോകും. പിടിക്കാൻ ഉദ്ദേശിക്കുന്ന ആളുകൾക്കു വല്ല കോഓപ്പറേറീവു സൊസൈററിയിൽ നിന്നോ മറേറാ പണം കടം വാങ്ങി അവരുടെ ആവശ്യം നിർവ്വഹിക്കാം.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ചിട്ടിപിടിക്കാത്ത ആളുകൾ ചിട്ടി പിടിച്ചു കടം തീക്കാം എന്നു വിചാരിച്ചിരിക്കുന്ന സമയത്തു അതിലേക്കു സാധിക്കാതെ വരുമ്പോൾ അവരുടെ വസ്തുക്കളും ലേലത്തിൽ വിററുപോകയില്ലയോ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): അവർക്കു പരസ്പരസഹായസംഘങ്ങളിൽ നിന്നും ആവശ്യത്തിനു പണം കടം വാങ്ങിക്കാം.

അതു കൊണ്ടു ചിട്ടിമാററിവയ്ക്കുന്നതിനു ഒരു ഗവണ്മെൻറുത്തരവുണ്ടാകുന്നപക്ഷം ചിട്ടി മുന്നാളനു ഇങ്ങനെ ഗവണ്മെൻറുത്തരവുള്ളതു

കൊണ്ടു ചിട്ടി നടത്താൻ സാധിക്കയില്ലെന്നു സമാധാനം പറയാൻസാധിക്കും.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): ചിട്ടി മുന്നാളുന്മ ഇങ്ങനെ ഒരു സമാധാനം പറയാം എന്നല്ലാതെ ചിററാളന്മാരുടെ കടക്കാരോട് ഈ സമാധാനം പറയാൻ സാധിക്കയില്ലല്ലോ.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): ബാങ്കിങ് എൻക്വയറി കമ്മിററി റിപ്പോർട്ടു സമർപ്പിച്ചിട്ടുണ്ട്. അതിനെപ്പററി ആലോചിക്കുന്നു എന്നു് അസംബ്ലിഅഡ്രസ്സിൽ പത്താംപാരാവിൽ പറയുന്നുമുണ്ട്. സാധാരണ കമ്മിററി ഏർപ്പെടുത്തി റിപ്പോർട്ടു സമർപ്പിച്ചു കഴിഞ്ഞാൽ അതിനെപ്പററി ആലോചിച്ചു തീർച്ച ചെയ്യാൻ വളരെ കാലതാമസം നേരിടുന്നുണ്ട്. എന്നാൽ ബാങ്കിംഗ് എൻക്വയറി കമ്മിററിറിപ്പോർട്ടിൽ സാമ്പത്തികാധഃപതനത്തിൻെറ പരിഹാരത്തിനായി പല മാർഗ്ഗങ്ങളും നിർദ്ദേശിക്കുന്നതുകൊണ്ട് ഗവൺമെൻറു് ഉടനടി അതിനെപ്പററി ആലോചിച്ചു് അതിലെ നിർദ്ദേശങ്ങൾ ജനങ്ങൾക്കു ഉപകാരപ്രദമാക്കണമെന്നു ഞാൻ അപേക്ഷിക്കുന്നു.

ഒരു ട്രെയിഡ് ഏജൻറിനെ നിയമിക്കണം എന്നു വളരെക്കാലമായി ഈ കൌൺസിലിൽ ശക്തിമത്തായ വാദം നടക്കുന്നുണ്ട്.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): ട്രെയിഡ് ഏജൻറിനെ എവിടെ എല്ലാമാണു നിയമിക്കേണ്ടതു്?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): പ്രധാനകച്ചവടസ്ഥലങ്ങളിൽ ട്രെയിഡ് ഏജൻറിനെ നിയമിക്കുന്നപക്ഷം ജപ്പാൻ മുതലായ രാജ്യങ്ങളിൽ ഇവിടെ ഉണ്ടാകുന്ന സാമാനങ്ങളിൽ ഏതെല്ലാമാണു ചിലവാകുന്നതു് എന്നു് അറിയാൻ സാധിക്കും.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): ജപ്പാൻ രാജ്യത്തു ഏതെല്ലാം സാമാനങ്ങളാണു ചിലവാകുന്നതു്?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): ഇവിടെയുള്ള പലസാധനങ്ങളും അവിടെ ധാരാളംചിലവാകും. ഇങ്ങനെ പലസാധനങ്ങളും, പലരാജ്യത്തും സമർത്ഥനായ ഒരു ട്രെയിഡ് ഏജൻറിനെ നിയമിച്ചാൽ ചിലവാക്കുവാൻ സാധിക്കുന്നതാണ്. ഒരേജൻറിനെ ഇംഗ്ലണ്ടിലും ഒരേജൻറിനെ ഇൻഡ്യയിലും നിയമിക്കുന്ന പക്ഷം അവർ അവരുടെ ജോലി അനുസരിച്ചു സബ് ഏജൻസികൾവെച്ചു നടത്തിക്കൊള്ളും. ഇവിടത്തെ സാമാനങ്ങൾ അന്യനാട്ടിലേക്കു ധാരാളം പോകുന്നുണ്ട്.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): ഏജൻറിനെ തിരുവനന്തപുരത്തു നിയമിച്ചാൽ പോരെ?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): പോരാ ലണ്ടനിൽ തന്നെ വേണം. അങ്ങനെ ഒരേജൻറു ഇല്ലാത്ത ന്യൂനത ഇപ്പോഴാണ് നാം മനസ്സിലാക്കുന്നത്. അതിനാൽ ഒട്ടും താമസിക്കാതെ ഒരു ട്രെയിൻഡ് ഏജൻറിനെ നിയമിക്കണം.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): ഏജൻറിൻെറ ജോലി എന്തെല്ലാമാണ്?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): നാം അയയ്ക്കുന്ന സാധനങ്ങൾക്ക് എവിടെയെല്ലാം കൂടുതൽ വില കിട്ടും എന്നു നോക്കി ശരിയായ മാർക്കററു കണ്ടുപിടിച്ച് ഇവിടെ അറിയിക്കണം. നമുക്കാവശ്യമുള്ള സാമാനങ്ങൾ എവിടെയെല്ലാം ലാഭമായി കിട്ടുമെന്ന് അന്വേഷിച്ചറിഞ്ഞു നമ്മെ അറിയിക്കണം. ഇവയൊക്കെയാണു ട്രെയിഡ് ഏജൻറിൻെറ ജോലി.

സാമ്പത്തികാധഃപതനത്തെപ്പററി പര്യാലോചിക്കാൻ ഒരു കമ്മിററി ഏർപ്പെടുത്താൻപോകുന്നു എന്നു ദിവാൻജിയുടെ അഡ്രസ്സിൽ പറഞ്ഞിരുന്നു. എന്നാൽ അങ്ങിനെ ഒരു കമ്മിററി ഏർപ്പെടുത്തുന്ന അവസരത്തിൽ അതിലെ അംഗങ്ങളായി തെക്കൻതിരുവിതാംകൂറിലുള്ള ഒന്നുരണ്ടുപേർ കൂടി ഉണ്ടായിരിക്കണമെന്നും ആ കമ്മിററി എത്രയുംവേഗത്തിൽ നിയമിക്കണമെന്നും ഞാൻ അപേക്ഷിക്കുന്നു.

ഇതിനൊക്കെ പണം എവിടെ എന്നു ഒരു ചോദ്യം ഉണ്ടാകാം. ഇപ്പോൾ ഇവിടെ അരിതുടങ്ങിയ ഭക്ഷ്യാഹാരസാധനങ്ങളുടെ വില വളരെ കുറവാണ്. അതിനാൽ പണമുള്ളവർക്കു ചിലവു വളരെ കുറച്ചേ ആവുകയൊള്ളു. അതുകൊണ്ടു സർക്കാർ ഉദ്യോഗസ്ഥന്മാരുടെ ശമ്പളത്തിൽ ൧൦൦-നു ൨൦ വീതം കുറയ്ക്കണം. റബ്ബർ എസ്റ്റേററ് മുതലായ സ്ഥലങ്ങളിൽ ശമ്പളക്കാരുടെ ശമ്പളം ൫൦ ശതമാനം കുറച്ചിട്ടുണ്ട്. അസിസ്റ്റൻറു ഇൻസ്പെക്ടർമാർ, എ. എസ്. പി. തുടങ്ങിയുള്ള ഏണിപ്പടിപോലെയുള്ള ഉദ്യോഗസ്ഥന്മാരെയെല്ലാം കുറയ്ക്കണം.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ഈ ക്ഷാമകാലത്തു ഉദ്യോഗത്തിലിരിക്കുന്ന അവരെ ഒക്കെ പിരിച്ചുവിടണമെന്നാണൊ പറയുന്നത്?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): അതെ.

ഇറിഗേഷൻ, കമ്മ്യൂണിക്കേഷൻ മുതലായ ജോലികൾ ഒഴികെ മററു മരാമത്തുജോലികൾ ധാരാളം നടത്തണം.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*).: കെട്ടിടം കെട്ടുമ്പോൾ കൂലിക്കാൎക്കു കൂടുതൽ ശമ്പളം കിട്ടുകയില്ലേ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): കിട്ടും.

ഈ സംഗതി വേണ്ടവിധത്തിൽ ഗവൺമെന്റ് ആലോചിച്ചുവേണ്ട പരിഹാരം ഉണ്ടാക്കണമെന്നുള്ള അപേക്ഷയോടുകൂടി ഞാൻ ഈ പ്രമേയത്തെ അവതരിപ്പിച്ചുകൊള്ളുന്നു.

MR. V. J. OOMMEN (*Commerce and Industry, North*): മിസ്റ്റർ കേശവപിള്ളയുടെ പ്രമേയത്തെ ഞാൻ ഹാൎദ്ദമായി പിന്താങ്ങുന്നു. ഇത്ര ഗൗരവമായ ഒരു സംഗതിയെ സംബന്ധിച്ചു കൊണ്ടുവന്നിട്ടുള്ള ഈ അഡ്ജോൺമെന്റു മോഷനെ സാധാരണ ഗവൺമെന്റു പറഞ്ഞുവരാറുള്ള മുടന്തൻ ന്യായങ്ങൾ ഒന്നും പറയാതെ സ്വീകരിച്ചതിനു പ്രസിഡന്റു അവർകൾക്കു നന്ദിപറഞ്ഞുകൊള്ളുന്നു.

DUPUTY PRESIDENT: What is your appeal to me? What is it that you want me to do as President?

MR. V. J. OOMMEN (*Commerce and Industry, North*): I am thankful to you for accepting the motion without rejecting it.

DUPUTY PRESIDENT: I am not either voting for rejection or for admission.

MR. V. J OOMMEN (*Commerce and Industry, North*): പ്രസിഡന്റവർകൾ തിരുവിതാംകൂറിലെ ഒരു പ്രധാന പൗരൻ എന്നുള്ള നിലയിലും തിരുവിതാംകൂറിലെ പ്രധാനപ്പെട്ട ബാങ്കുകാരുടെ ലീഗൽ അഡ്വൈസർ എന്നുള്ള നിലയിലും അതുകൂടാതെ യൂറോപ്യൻ തോട്ടക്കാരുടെ ലീഗൽ അഡ്വൈസർ എന്നുള്ള നിലയിലും ഇന്നത്തെ നാട്ടിന്റെ നില നല്ലവണ്ണം മനസ്സിലാക്കിയിട്ടുള്ളതുകൊണ്ടാണ് ഇന്നത്തെ അഡ്ജോൺമെന്റു മോഷൻ അനുവദിച്ചിട്ടുള്ളത്.

DEPUTY PESIDENT: no; no: It was in the proper form in my judgment.

MR. V. J. OOMMEN (*Commerce and Industry, North*): തിരുവിതാംകൂറിൽ ഉണ്ടാകുന്ന എല്ലാ സാധനങ്ങൾക്കും കഴിഞ്ഞയാണ്ടത്തേക്കാൾ വില വളരെ കുറഞ്ഞിരിക്കുന്നു. തിരുവിതാംകൂറിലെ ഒരു പ്രധാന ഉൽപന്നമായ കുരുമുളകിന് ൧൧൦൪-൧൧൦൫ ഈ ആണ്ടുകളിൽ ൫൦൦ രൂപാമുതൽ ൬൦൦ രൂപാവരെ വിലയായിരുന്നത് ഇപ്പോൾ ൧൫൦ മുതൽ ൧൬൦ രൂപാവരെ വിലയായിരിക്കുന്നു. കൊപ്രായ്ക്കു മുന്നാണ്ടുകളിൽ ൧൦൦ രൂപാ വിലയായിരുന്നത് ഇപ്പോൾ ൪൫ മുതൽ ൫൦ രൂപാ വരെ വിലയായിരിക്കുന്നു. നെല്ലിനു പറയ്ക്കു ൨൦

[Mr. V. J. Oommen.]

ചക്രം വിലയായിരുന്നതു് ഇപ്പോൾ ഒൻപതും പത്തും ചക്രം വിലയായിരിക്കുന്നു.

DEPUPTY PRESIDENT: അങ്ങിനെ വില കുറഞ്ഞുവന്നതു സാധുക്കൾക്കു രക്ഷയല്ലെ?

MR. V. J. OOMMEN (*Commerce and Industry, North*): പണം ഉണ്ടെങ്കിലല്ലെ അതു വിലയ്ക്കു വാങ്ങിക്കാൻ കഴികയുള്ളു. റബ്ബറിന്റെ വില വളരെ കുറഞ്ഞിരിക്കുന്നു. വലിയ നഷ്ടമാണു് അതുകൊണ്ടുണ്ടാകുന്നതു്.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): റബ്ബറുടെ വില എങ്ങിനെയാണു് ഇരിക്കുന്നതു്?

MR. V. J. OOMMEN (*Commerce and Industry, North*): അതിൽ അങ്ങിനെയില്ല. റബ്ബർ കൃഷിചെയ്യുന്നു എങ്കിൽ നഷ്ടപ്പെടുകയല്ലാതെ നിവൃത്തിയില്ല.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): പറങ്കിഅണ്ടിക്കു വില കൂടിയോ കുറഞ്ഞോ എന്നു മെംബർക്കു് അറിയാമൊ?

MR. V. J. OOMMEN (*Commerce and Industry, North*): അതിനെപ്പററി എനിക്കു നിശ്ചയമില്ല.

തെക്കൻകയറിനു് ൫൦ മുതൽ ൫൫ വരെ രൂപാ കണ്ടിക്കു് വിലയുണ്ടായിരുന്നതു് ഇപ്പോൾ ൪൦ മുതൽ ൩൦ രൂപാവരെ മാത്രമെ വിലയുള്ളു. ൪൦ മുതൽ ൨൦ രൂപാവരെ വിലയുണ്ടായിരുന്ന വടക്കൻ കയറിനു് (വയ്ക്കം മുതലായ സ്ഥലങ്ങളിലുള്ളതു്) ൨൦ മുതൽ ൪൦ രൂപാവരെ വിലയായിരിക്കുന്നു. ഇങ്ങിനെയുള്ള പതനത്തിൽ ഇതിനെ പരിഹരിക്കുന്നതിനു ഗവൺമെന്റു ജനപ്രതിനിധികളുമായി ആലോചിച്ചു് എന്താണു മാർഗ്ഗമെന്നു കണ്ടുപിടിക്കേണ്ടതാണു്. ഇതു ഗൌരവമേറിയ ഈ സംഗതിക്കു ഗവൺമെന്റു വേണ്ട പരിഹാരം ഉണ്ടാക്കിയില്ലെങ്കിൽ തിരുവിതാംകൂറിലെ സാധുക്കളായ പൌരന്മാരും കുടിയാന്മാരും താമസിയാതെതന്നെ പട്ടിണികിടന്നു മരിക്കേണ്ടിവരും. ഗവൺമെന്റുദ്യോഗസ്ഥന്മാർക്കു മാസംതോറും ശമ്പളം ഉള്ളതുകൊണ്ടു മററുള്ളവരെപ്പോലെ പട്ടിണി കിടന്നു മരിക്കേണ്ടിവരികയില്ല. കുടിയാന്മാർ മരിച്ചാൽപിന്നെ ആരെയാണു് ഭരിക്കുന്നതു്. ഗവൺമെന്റുദ്യോഗസ്ഥന്മാർ മാത്രം ഒടുവിൽ ശേഷിക്കും.

DEPUTY PRESIDENT: തേങ്ങായ്ക്കും നെല്ലിനും വിലകുറവുള്ളതുകൊണ്ടു കുടിയാന്മാർക്കു പട്ടിണികിടക്കേണ്ടിവരികയില്ലല്ലൊ.

MR. V. J. OOMMEN (*Commerce and Industry, North*): തേങ്ങാ യ്ക്കു മൂന്നു രൂപായാണ് ഇപ്പോഴത്തെ വില.

അവസാനത്തിൽ ഗവൺമെൻറുദ്യോഗസ്ഥന്മാർ മാത്രം ശേഷിക്ക ണമെന്ന് ആക്കും വിചാരമുണ്ടെന്നു തോന്നുന്നില്ല. പ്രജകൾ ഇല്ലാതെ ഗവൺമെൻറില്ലല്ലൊ. അതുകൊണ്ടു പ്രജകൾ വേണമെന്ന് ആഗ്രഹമു ണ്ടെങ്കിൽ നിശ്ചയമായിട്ടും ഇതിനു പ്രതിവിധിയുണ്ടാക്കണം. അതി ന് എന്താണു പ്രതിവിധി എന്നാണ് ആലോചിക്കുവാനുള്ളത്. അതിനെക്കുറിച്ചുള്ള എൻെറ അഭിപ്രായങ്ങളെ ഇവിടെ പ്രസ്താവി ക്കാം.

ഈ നിയമസഭയിൽതന്നെ, ഒരു ലാൻഡ്മാഡ്ഗേജ് ബാങ്ക് സ്ഥാപിക്കേണ്ടതിൻെറ അത്യാവശ്യകതയെപ്പററി ജനപ്രതിനിധികൾ ശക്തിയായി വാദിച്ചു.

MR. MATTHEW MURIKKAN (*Vaikam*): ഈ ഡിപ്രഷനു കാരണം അതാണൊ?

MR. V. J. OOMMEN (*Commerce and Industry, North*): അതി നു പല കാരണങ്ങളും ഉണ്ട്. അതിൻെറ പരിഹാരം പല മാർഗ്ഗങ്ങ ളിൽക്കൂടിയല്ലാതെ സാധിക്കുകയില്ല. അതിനാൽ നിവൃത്തിയുള്ള മാർഗ്ഗ ങ്ങളെ കണ്ടുപിടിക്കണം.

ലാൻറ്മാഡ്ഗേജ്ബാങ്ക് സ്ഥാപിക്കണമെന്ന് ഒരു പ്രമേയം ഈ നിയമസഭയിൽ അവതരിപ്പിക്കുകയും അതു പാസാകുകയുംചെയ്തു. ആ ബാങ്ക് എത്രയും വേഗത്തിൽ നടപ്പിൽ വരുത്തണമെന്നാണ് എൻെറ അഭിപ്രായം. അങ്ങിനെ ഒരു ബാങ്ക് സ്ഥാപിച്ച് അതിൽ നിന്നും ചെറിയ ചെറിയ സംഖ്യകൾ കഷ്ടപ്പെടുന്ന ആളുകൾക്കു കൊ ടുത്ത് അവരെ സഹായിക്കണം.

പൊതുവിൽ നോക്കുകയാണെങ്കിൽ പല സ്ഥലങ്ങളിലും കൃഷി പ്പിഴ ഉണ്ടായിട്ടുണ്ട്. ഇപ്പോൾ വിളവ് എടുത്തുകൊണ്ടിരിക്കുന്ന സമ യമാണ്. പല സ്ഥലങ്ങളിലും മട വീണു കൃഷിക്കു നഷ്ടം ഉണ്ടായി ട്ടുണ്ട്.

DEPUTY PRESIDENT: ആണ്ടുതോറും മട വീഴുകയില്ലേ?

MR. V. J. OOMMEN (*Commerce and Industry, North*): മുമ്പു മട വീണാൽ അതു് ആരും അത്ര ഗൌനിക്കാറില്ല. ഇപ്പോൾ അതു കൂടു തലായി ഉണ്ടായിട്ടുണ്ട്. സാമ്പത്തികാധഃപതനവും മട വീഴലും ഒന്നി ച്ചു വന്നിട്ടുള്ള ഈ അവസരത്തിൽ ഗവമ്മെൻറ് അക്കാര്യത്തിൽക്കൂടി

ശ്രദ്ധപതിപ്പിക്കേണ്ടതാണ്. അതുകൊണ്ടു മടവീണിട്ടുള്ള നിലങ്ങ ൾക്കു നിവൃത്തിയുണ്ടെങ്കിൽ എല്ലാ നിലങ്ങൾക്കും കരം ഇളവു ചെയ്തു കൊടുക്കണം.

കുരുമുളക്, കൊപ്രാ, കയറ് ഇവയുടെ വില മുമ്പിലത്തെക്കാൾ വളരെ കുറഞ്ഞിരിക്കുന്നു. മുമ്പിലത്തെ വില അനുസരിച്ചാണ് അവ യ്ക്കു താരിപ്പുറേററ നിശ്ചയിച്ചിരിക്കുന്നതു്. അതിനാൽ ഇപ്പോഴ ത്തെ വില അനുസരിച്ചുള്ള താരിപ്പുവില നിശ്ചയിച്ച് അങ്ങിനെയും സഹായിക്കണം.

പ്രധാനമായി ഇപ്പോഴത്തെ പതനത്തിൽ പെട്ടെന്നു ഗവണ്മെ ൻറിൽനിന്നും ചെയ്യാനുള്ളതു് എൻെറ ഒരു സ്നേഹിതൻ പറഞ്ഞതു പോലെ ൧൦൦ രൂപായിൽ കൂടുതൽ ശമ്പളമുള്ള ഗവണ്മെൻറുദ്യോഗ സ്ഥന്മാരുടെ ശമ്പളത്തിൽ നിന്നും ഒരംശം പിടിച്ചു ആ പണം ഇ പ്പോൾ കഷ്ടപ്പെട്ടു വലയുന്ന സാധുക്കളെ സഹായിക്കുന്നതിനുവേണ്ടി വിനിയോഗിക്കണം.

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*): അറു മുപ്പതുവീതം പിടിക്കണമോ അതിലും കൂടുതലായിവേണമൊ?

MR. V. J. OOMMEN (*Commerce and Industry, North*): നൂറും ഇരുനൂറും രൂപാ വീതം ശമ്പളം വാങ്ങിച്ചുകൊണ്ടിരിക്കുന്നവരുടെ ലക് ഷൂറിയസ് ചിലവു് ഒന്നുകുറച്ചാൽ മതി. അതിനനുസരിച്ച് ഒരു തുക പിടിക്കാവുന്നതാണ്. അതുകൊണ്ടു് അവൎക്കു വിഷമം ഉണ്ടാവുകയില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapulli*): എത്ര രൂപാവീതം പിടിച്ചാൽ അവൎക്ക് വിഷമം ഉണ്ടാകുകയില്ല?

MR. V. J. OOMMEN (*Commerce and Industry, North*): പതിന ഞ്ചു മുതൽ ൨൦ രൂപാവരെ പിടിക്കാം. അറു പത്തും പതിനഞ്ചും രൂപാ ശമ്പളംവാങ്ങുന്ന ഉദ്യോഗസ്ഥന്മാരിൽനിന്നുമല്ല. ദിവാൻജി മു തലുള്ള ഉദ്യോഗസ്ഥന്മാരിൽനിന്നും പിടിക്കണം. ഇപ്പോൾ കിട്ടുന്ന ശമ്പളത്തിൻെറ മൂന്നിൽഒന്നു തനിക്കുമതിഎന്നുപറഞ്ഞു തിരുവിതാംകൂർ ദിവാൻജി തന്നെ മാതൃകയായി ശമ്പളംകുറച്ചു കാണിച്ചുകൊടുക്കണം. പാവപ്പെട്ടയാളുകൾ ഓരോ താലൂക്കിലും എത്രയുണ്ടെന്നു കണക്കാക്കി പകുതി ഉദ്യോഗസ്ഥന്മാരും തഹശീൽദാരന്മാരും ഓരോ സ്ഥലത്തുമുള്ള ജനപ്രതിനിധികളുമായി ആലോചിച്ച്, ഗവണ്മെൻറിൽനിന്നും വേണ്ട സഹായം അവൎക്കു ചെയ്യണം. സഹായം ചെയ്യുന്നതിനുള്ള മുതലുംകൂ ടി ഗവണ്മെൻറിനുണ്ടാകണം. അതിനു വേണ്ടിയാണ് ഈ സംഗതി പറഞ്ഞിട്ടുള്ളതു്.

ഇതു കൂടാതെ അവസാനമായി പറയാനുള്ളതു് മിസ്റ്റർ കേശവപിള്ള പറഞ്ഞതുപോലെ ഒരു ട്രെയിഡ് ഏജൻറിനെ നിയമിക്കേണ്ട ആവശ്യകതയെപ്പററിയാണ്. ഇതിനു മുൻപിലത്തെ കൌൺസിലിലും ഇതിനെപ്പററി ഒരു പ്രമേയം അയച്ചിട്ടുണ്ടായിരുന്നു. അതിനു മുൻപു രണ്ടുപ്രാവശ്യം ഇതിനെപ്പററി പ്രമേയം അയച്ചിട്ടുണ്ടായിരുന്നു. ഒരു പ്രാവശ്യം ബാലററിൽ കിട്ടിയതാണ്. പക്ഷെ അതിനെ വിമർശനത്തിനെടുത്തില്ല. അക്കൌണ്ടാഫീസിൽ, ഒരു ട്രെയിഡ് ഏജൻറിൻെറ ആവശ്യം എന്താണെന്നു മിസ്റ്റർ കേശവപിള്ളയോടു ചോദിച്ചു.

MR. R. NILAKANATA PILLAI (*Financial Secretary to Government*): അതു അഭിപ്രായം അറിയാൻവേണ്ടി ചോദിച്ചതാണ്.

MR. P. S. MAHOMED (*Nominated*): ട്രെയിഡ് ഏജൻറായി ഒരാൾ മതിയോ?

MR. V. J. OOMMEN (*Commerce and Industry, North*): തല്ക്കാലത്തേക്കു ഒരാൾ മതി..

തിരുവിതാംകൂറിൽ എന്തെല്ലാം സാധനങ്ങളാണ് ഉണ്ടാകുന്നതെന്ന് വിദേശികൾക്ക് അറിയാൻ പാടില്ല. അതിനു നമ്മുടെ കൃഷിഡയറക്ടരും സെൻസസ് കമ്മീഷണരും ആയ ഡാക്ടർ കുഞ്ഞൻപിള്ളതന്നെ സാക്ഷീകരിക്കുന്നതാണ്. അദ്ദേഹം വെംബ്ലിപ്രദർശനത്തിനുപോയപ്പോൾ ഇവിടത്തെ ചില സാധനങ്ങളെ അവിടെ കൊണ്ടുപോയി പ്രദർശിപ്പിച്ചു. അങ്ങനെയുള്ള സാധനങ്ങൾ തിരുവിതാംകൂറിൽ ഉണ്ടെന്ന് അപ്പോഴാണ് വിദേശികൾക്കു മനസ്സിലായതു്. ഇവിടെയുള്ള സാമാനങ്ങൾ ഒരു ട്രെയിഡ് ഏജൻറുമുഖാന്തിരം അയക്കുകയാണെങ്കിൽ സാമാനങ്ങളുടെ വില കൂടുതൽ കുറവു നമുക്കു അറിയുന്നതിനു സൌകര്യം കിട്ടുന്നതാണ്. ഇപ്പോൾ അങ്ങനെയുള്ള സൌകര്യം ഇല്ലാത്തതുകൊണ്ടു് വിദേശികളുടെ ഇഷ്ടം അനുസരിച്ചാണ് നമ്മുടെ സാധനങ്ങൾക്കു വില കിട്ടിവരുന്നതു്. കഷ്ടപ്പെട്ടുണ്ടാക്കുന്ന ഓരോ സാമാനങ്ങളും അവർ പറയുന്ന വിലയ്ക്കു കൊടുത്തുവരുന്നു. സ്വന്തമായി ഒരു പ്രതിനിധി ഉണ്ടായിരുന്നാൽ അമേരിക്കാ, ആസ്ട്രേലിയാമുതലായ ഓരോ രാജ്യങ്ങളിലും ഉള്ള വില അറിയുന്നതിനും അതാതുസമയത്തു് വില കൂടുതൽ ഉള്ള രാജ്യത്ത് ഈ സാമാനങ്ങളെ കൊടുത്തു് കൂടുതൽ വിലക്ക് വില്ക്കുന്നതിനും സാധിക്കുന്നതാണ്.

DEPUTY PRESIDENT: So, according to you you have at present no information about the Competitive prices in other markets and therefore you have to sell your goods at the prices offered?

MR. V. J. OOMMEN (*Commerce and Industry, North*): അതു പ്രധാനപ്പെട്ട ഒന്നാണ്.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): മൈസൂർ ഗവണ്മെൻറിൽനിന്നും ഒരു ട്രെയിഡ് ഏജൻറിനെ നിയമിച്ചിട്ടുള്ളതായി അറിയാമോ?

MR. V. J. OOMMEN (*Commerce and Industry, North*): അറിയാം.

സ്റ്റേഷനറി വകയ്ക്കുള്ള സാമാനങ്ങൾ വിദേശരാജ്യങ്ങളിൽ നിന്നും ലക്ഷക്കണക്കിനു ഇവിടെ വരുത്തുന്നുണ്ട്. ഈ സാമാനങ്ങളെ ഓരോ കമ്പനിക്കാരും പറയുന്ന വിലകൊടുത്തു് വാങ്ങിച്ചുവരുന്നു. നമ്മുടെ ഒരു ഏജൻറ് അവിടെ ഉണ്ടെങ്കിൽ പല കമ്പനിക്കാരുമായി വിലയെപ്പററി നേരിട്ടു കണ്ടു സംസാരിച്ച് നല്ല സാമാനങ്ങൾ നോക്കിതിരഞ്ഞെടുക്കുന്നതിനു സാധിക്കും.

വിലയെപ്പററിയും മററും പൂർണ്ണമായ വിവരങ്ങൾ അറിഞ്ഞു് നമ്മുടെ ഗവണ്മെൻറിനെ ധരിപ്പിക്കയും സാമാനങ്ങൾ ആവശ്യമുണ്ടെന്നു ഇംഗ്ലണ്ട്, അമേരിക്ക മുതലായ രാജ്യങ്ങളിലുള്ള പത്രങ്ങളിൽ അഡ്വർട്ടൈസ്ചെയ്തു് അതിനുശേഷം കുറഞ്ഞവിലക്കു ആരു തരുമൊ ആ കമ്പനിയിൽനിന്നും സാമാനങ്ങൾ എടുക്കുന്നതായിരുന്നാൽ ഗവണ്മെൻറിനു അനേകായിരം രൂപാ ലാഭം കിട്ടുന്നതാണു.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): ഒരു ട്രേയിഡ് ഏജൻറിനെ ലണ്ടനിൽ നിയമിക്കുന്നതിന് ഒരാണ്ടിൽ എത്ര രൂപാ ചിലവുവരും?

MR. V. J. OOMMEN (*Commerce and Industry, North*): ആയിരം രൂപാ ശമ്പളമായി കൊടുക്കണം. ശമ്പളചിലവു എസ്റ്റാബ്ലിഷ്മെൻറ് ചാർജ്ജസ് എല്ലാംകൂടി ഇരുപത്തയ്യായിരം രൂപാ ഒരാണ്ടിൽ ചിലവാകും.

MR. ITTOOP ITTEECHAN (*Kunnatnad*): അങ്ങനെ ഒരാളിനെ നിയമിച്ചാൽ എന്താദായം കിട്ടും?

MR. V. J. OOMMEN (*Commerce and Industry, North*): കുറഞ്ഞു ഒരു ൧൦ ലക്ഷം രൂപായുടെ ആദായം ജനങ്ങൾക്കുണ്ടാകും.

DEPUTY PRESIDENT: ടൂവൽ ചെയ്യേണ്ടിവരികയില്ലേ?

I Suppose he must travel all over Europe and America and get at favourable markets.

MR. V. J. OOMMEN (*Commerce and Industry, North*): തൽക്കാലം ലണ്ടനിൽതന്നെ താമസിച്ചാൽ മതി. അവിടെ താമസിച്ചു സംഗതികൾ മനസ്സിലാക്കിയതിൽ പിന്നെ കൂടുതൽ ഗുണകരമാണെന്നു തോന്നുന്നു എങ്കിൽ അക്കാലത്തു് കൂടുതൽ ആളുകളെ നിയമിക്കാം.

MR. ITTOOP ITTEECHAN (*Kunnatnad*): അങ്ങനെ ചെയ്താൽ തിരുവിതാംകൂർ ഗവമ്മെൻറിന് എന്തു് ആദായം കിട്ടും?

MR. V. J. OOMMEN (*Commerce and Industry, North*): അതിനെ ക്ലിപ്തപ്പെടുത്താൻ നിവൃത്തി ഇല്ലെങ്കിലും ഇരുപത്തഞ്ചു ലക്ഷം രൂപായുടെ ഗുണം ജനങ്ങൾക്കു അതുകൊണ്ടുണ്ടാകും.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): ഏതു ഇനത്തിലാണ് ഇതുകിട്ടുന്നതു്?

MR. V. J. OOMMEN (*Commerce and Industry, North*) : കൊപ്രാമുതലായ സാമാനങ്ങൾ അയയ്ക്കുന്നതിൽ കൂടുതലായ വില കിട്ടും. അതുകൊണ്ടു് സാമാനങ്ങൾക്കു ധാരാളം രൂപാകിട്ടും. അതു ജനങ്ങൾക്കു ലാഭമാണു്.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): സാമാനങ്ങൾ അയക്കുന്നതു ഏജൻറിൻെറ പേക്കാണോ?

MR. V. J. OOMMEN (*Commerce and Industry, North*) : ഏജൻറിൻെറപേക്കയക്കാം. ഏതു സ്ഥലത്താണു് ആ സാമാനങ്ങൾക്കു ഡിമാൻറ് എന്നറിഞ്ഞു് ഏജൻറു അവയെ കൊടുക്കണം.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): കയറുപാ ലണ്ടനിലും ലിവർപൂളിലും ആവശ്യമുണ്ടു്. ഇതിനെ അവിടത്തെ ഏജൻറു മുഖേന അയച്ചുകൊടുക്കണമെന്നാണൊ പറയുന്നതു്?

MR. V. J. OOMMEN (*Commerce and Industry, North*) : ഏജൻറു ഈ സാമാനങ്ങളെപ്പററി അവിടത്തെ പത്രങ്ങളിൽ പരസ്യപ്പെടുത്തണം. ആക്കെങ്കിലും ആവശ്യമുണ്ടെങ്കിൽ അവർ ഏജൻറു മുഖാന്തിരം എഴുത്തു അയച്ചാൽ അവക്കു അയച്ചുകൊടുക്കണം.

DEPUTY PRESIDENT : Why don't you secure a letter of credit before you send your goods?

MR. V. J. OOMMEN (*Commerce and Industry, North*) : അങ്ങനെ സൌകര്യം ഇല്ലാത്ത ആളുകളായിരിക്കും. ഏജൻറുണ്ടായിരുന്നാൽ അവിടെ അടുത്തുള്ള ആളുകളുമായിട്ടു നേരിട്ടു കണ്ടുസംസാരിക്കുന്നതിനും സൌകര്യമുണ്ടു്.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): ഇതു് ബാങ്കർ മുഖേന സാധിക്കുന്നില്ലേ?

MR. V. J. OOMMEN (*Commerce and Industry, North*): ബാങ്കർമുഖേന ശരിയായി സാധിയ്ക്കയില്ല.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): കൊപ്രാ, കുരുമുളക് ഇവയ്ക്കു് ഏജൻറുണ്ടായിരുന്നാൽ വിലകൂട്ടികിട്ടാൻ സൌകര്യം ഉണ്ടോ?

MR. V. J. OOMMEN (*Commerce and Industry, North*): ഉണ്ടു്.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): ഏതുപ്രകാരത്തിലാണു് വില കൂട്ടിക്കിട്ടുന്നതു്?

MR. V. J. OOMMEN (*Commerce and Industry, North*): കൊപ്രായും കുരുമുളകും വാങ്ങുന്നതിനുള്ള ഫേംസ് ഏതെല്ലാമാണെന്നറിയുന്നതിനു അവിടെയുള്ള പത്രങ്ങളിൽ പരസ്യംചെയ്തു് അവയെ കണ്ടുപിടിച്ചു് ആ കച്ചവടക്കാരുമായി നേരിട്ടു കണ്ടുസംസാരിച്ചു് കൂടുതൽ വിലക്കു എവിടെ വില്ക്കാമെന്നു് മനസ്സിലാക്കിയാൽ നിശ്ചയമായിട്ടും കൂടുതൽ ആദായം കിട്ടും.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ഈ സംഗതികളൊക്കെ തീരുമാനിക്കുന്നതിനു ശേഷിയുള്ള ഒരു ട്രെയിഡ് ഏജൻറിനെ നിശ്ചയിക്കണം എന്നല്ലേ പറയുന്നതു്?

MR. V. J. OOMMEN (*Commerce and Industry, North*): ശേഷിമാത്രംപോരാ നല്ല വിശ്വാസ്ഥനും ആയിരിയ്ക്കണം. അതുകൂടാതെ ആ സ്ഥലങ്ങളിൽപോയി പരിചയിച്ചിട്ടുള്ള ആളും ആയിരിക്കണം.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ഈ സാമാനങ്ങളൊക്കെ ഇങ്ങോട്ടുയയ്ക്കുയും അങ്ങോട്ടുയയ്ക്കുയും ചെയ്യേണ്ടതു ട്രെയിഡ് ഏജൻറിൻെറ കൃത്യമല്ലേ?

MR. V. J. OOMMEN (*Commerce and Industry, North*): അതെ.

ഈ അഭിപ്രായത്തോടുകൂടി ഈ അടിയന്തിരപ്രമേയത്തെ പിൻതാങ്ങുന്നു.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): സർ, മി. ററി. സി. കേശവപിള്ളയുടെ പ്രമേയത്തെ ആസ്പദമാക്കി എനിക്കു ചില സംഗതികൾ ഗവണ്മെൻറിൻെറ ശ്രദ്ധയിൽ കൊണ്ടുവരാനുണ്ടു്. തിരുവതാംകൂറിലെ സാമ്പത്തീകാധഃപതനം ഗവണ്മെൻറിൻെറ അടിയന്തിരശ്രദ്ധയിൽപെടണമെന്നുള്ളതാണു് ആ പ്രമേയത്തിൻെറ ഉദ്ദേശം. സാമ്പത്തീകാധഃപതനം ഇന്നു ലോകം മുഴുവനും ബാധിക്കുന്നതായ ഒരുപദ്രവമാകകൊണ്ടു് പെട്ടെന്നു ഇതിനു എന്തെങ്കിലും ഒരു പരിഹാരം ഉണ്ടാക്കുന്നതിനു ഗവണ്മെൻറിനു കഴിയുമോ എന്നൊരു സംശയം പ്രാരംഭ

ത്തിൽ ജനിച്ചേയ്ക്കാം. എന്നിരുന്നാലും തിരുവിതാംകൂറിലെ ജനങ്ങൾക്കു അതു നിമിത്തം എത്രമാത്രം ഉപദ്രവം ഉണ്ടാകുന്നുണ്ടെന്നു ചിന്തിക്കേണ്ടതു് ഏറ്റവും ആവശ്യമാണല്ലോ.

കഴിഞ്ഞ കക്ക്ടകത്തിൽ ബഡ്ജറ്റു് നിരൂപണം നടന്നപ്പോൾ തന്നെ താല്ക്കാലികമായിരിക്കുന്ന സാമ്പത്തികാധഃപതനംകൊണ്ടു അടുത്തവർഷത്തെ സങ്കല്പിതമായ വരവിൽ വളരെ കുറവുവരുമെന്നു പല സാമാജികന്മാരും സൂചിപ്പിക്കയുണ്ടായി. ഈ സാമ്പത്തികാധഃപതനംകൊണ്ടു് ഇത്രമാത്രം ഉപദ്രവം ഉണ്ടായിരിക്കുമെന്നു വിചാരിക്കാൻ വഴിയില്ലായിരുന്നു. അതു കഴിഞ്ഞവർഷം അല്പമാത്രമായി ഉപദ്രവം നേരിട്ടുകൊണ്ടിരുന്ന സന്ദർഭത്തിലും, ഇടക്കാലത്തു സാമാനങ്ങളുടെ വിലയിൽ ഉണ്ടായകുറവും താമസിയാതെതന്നെ അതിന്റെ വർദ്ധനവുംകൊണ്ടു് ഈ അധഃപതനം താല്ക്കാലികമായ ഒന്നായിതന്നെ തീൎന്നുകൊള്ളുന്നതു് സാധാരണയായി കാണപ്പെടുന്ന തിരുവിതാംകൂറിലെ സ്ഥിതിക്കു ഒന്നോ രണ്ടോ മാസത്തെ വരുമാനം കുറവായിരിക്കും. നമ്മുടെ ആളുകൾക്കു പരിഭ്രമത്തിനു വകയില്ല എന്നുവിചാരിച്ചു തുടൎന്നു ഈ സാമ്പത്തികാധഃപതനം പിന്നെയും ജനങ്ങളെ പീഡിപ്പിച്ചുവന്നതിന്റെ ഫലമായി നാട്ടിന്റെ നാനാഭാഗത്തും ജനങ്ങൾക്കു സങ്കടവും പരിഭ്രമവും വർദ്ധിച്ചു. അതിന്റെ ഫലം കഴിഞ്ഞ ധനുമുതൽ ഗവണ്മെന്റിനു നേരിട്ടു അറിയാം. കഴിഞ്ഞ ധനുവിൽ ഇവിടത്തെ ജനങ്ങൾ അതിനായി മഹായോഗങ്ങൾകൂടി അവർ പല തരത്തിൽ വലയുകയാണു്; അതുകൊണ്ടു ഗവണ്മെന്റിൽനിന്നും സഹായിക്കണം എന്നെല്ലാം നിശ്ചയങ്ങൾ ചെയ്തും, അവരുടെ പ്രതിനിധികൾ മുഖേനയും ഗവണ്മെന്റിനെ അറിയിക്കാൻതുടങ്ങി.

മീനച്ചലിൽ ഒരു മഹായോഗംകൂടി നിശ്ചയംചെയ്തു, ഈ സാമ്പത്തികാധഃപതനത്തിനു പരിഹാരമുണ്ടാക്കാൻ പല നിർദ്ദേശങ്ങളും സമർപ്പിക്കയുണ്ടായി. ഞാൻമൂലം അതു നടത്തിയതുകൊണ്ടു എനിക്കതിനെപ്പറ്റി അറിയാം. അതു ഗവണ്മെന്റിനു കിട്ടി എന്നു് അറിയുന്നതിനുള്ള ഒരു കടലാസുപോലും ആളുകൾക്കു ലഭിക്കുന്നതിനു ഇടയായില്ല. ജനങ്ങൾ സങ്കടപ്പെട്ടു വലയുന്നു എന്നു പറയുന്നതു് ഗവണ്മെന്റു നേരംപോക്കായി വിചാരിച്ചു. അബ്കാരിവകയിൽ വരവു കുറയുമെന്നു എക്സൈസ് കമ്മീഷണർ പറഞ്ഞപ്പോൾ ജനങ്ങളുടെ ആവശ്യത്തിനായി ചിലവുചെയ്യാനായി ബഡ്ജറ്റിൽ ചേൎത്തിരുന്ന ഒരു വലിയ സംഖ്യ

[Mr. A. C. Kuriakose.]

ചിലവുചെയ്യാൻ പാടില്ലെന്നു ഗവണ്മെൻറു തടസ്ഥംചെയ്തു. അബ്കാരിവകയ്ക്കു കൊടുക്കാൻ ജനങ്ങൾക്കു നിവൃത്തിയില്ലാതെയിരുന്നതുകൊണ്ടു്, അവർക്കു ശരിയായി നടക്കാനും, അവരുടെ സുഖസൌകര്യങ്ങൾ വർദ്ധിക്കാനും പൊതുജനങ്ങളുടെ മുമ്പിൽ സമ്മതിച്ച പ്രമാണപടി അനുവദിച്ചിട്ടുള്ള വേലകൾ നടത്തുന്നതിനുള്ള പണം ബഡ്ജററിൽ കുറവുചെയ്തു.

MR. R. RAMAN PILLAI (*Kottayam*) : മദ്യപാനം കുറയുകയാണെങ്കിൽ വഴി കുറെ ചീത്തയായാലും തരക്കേടുണ്ടോ?

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): മദ്യപാനം കൂടിയിരുന്നാൽ ചീത്തവഴിയായാലും നേരേനടന്നുകൊള്ളും. മദ്യപാനം കുറയുമ്പോഴാണു് നല്ലവഴി വേണ്ടതു്.

ഇതേഅവസരത്തിൽ ജനങ്ങൾ സങ്കടം അനുഭവിക്കുന്നു, ക്ഷാമം കലശലാണു്, എന്നുപറഞ്ഞസംഗതി ഗവണ്മെൻറു കേട്ടില്ല. ഇതു് നമ്മുടെ ധർമ്മരാജ്യം ഗവണ്മെൻറിനു യോജിച്ച സംഗതിയല്ല. തിരുവിതാംകൂറിലെ പൊതുമരാമത്തു ഡിപ്പാർട്ടുമെൻറു് വമ്പിച്ച ഒരു ഡിപ്പാർട്ടുമെൻറാണു്. അതിൽ വലിയശമ്പളം പററുന്ന അനവധി സിൽബന്ധികളും ഉണ്ടു്. ഇപ്പോൾ നിലവിലിരിക്കുന്ന വേലകളുടെ സംരക്ഷണം മാത്രമാണു് ഇവരുടെ ജോലിഎങ്കിൽ അതിനു ഇത്രവളരെ ഉദ്യോഗസ്ഥന്മാരെ സംരക്ഷിക്കേണ്ട ആവശ്യമുണ്ടോ? പുതിയ വേലകൾ പ്രതിവർഷം നടത്തിക്കൊണ്ടിരിക്കയാണെങ്കിൽ ഈ ഉദ്യോഗസ്ഥന്മാരെല്ലാം വേണം. അവരുടെ ശമ്പളത്തിൽ ഒരു പൈ പോലും കുറയ്ക്കാതെ ഗവണ്മെൻറു് അവർക്കു കൊടുക്കുന്നുണ്ടു്. ഈ സ്ഥിതിക്കു് ജനങ്ങളുടെ ആവശ്യത്തിനായി ബഡ്ജററിൽ ചേർത്തിട്ടുള്ള തുക പിടിച്ചുവച്ചിട്ടുള്ളതു് ഒരു പ്രകാരത്തിലും നീതീകരിക്കാവുന്നതല്ല. എൻെറ അറിവു് ശരിയാണെങ്കിൽ, ബ്രിട്ടീഷ് ഗവണ്മെൻറു്, ക്ഷാമംവരുന്നകാലത്തു ജനങ്ങളെ സഹായിക്കാൻ അടിയന്തരമായി വേലകൾ നടത്തേണ്ടിവന്നാൽ നടത്താനുള്ള എസ്റ്റിമേററുകൾ സാങ്ഷനാക്കി വച്ചുകൊള്ളും. ഇങ്ങനെ ക്ഷാമം വരുന്നകാലങ്ങളിൽ ധാരാളം വേലക്കാരെ ഏർപ്പെടുത്തി അവർക്കു വേലകൊടുത്തു അവരെ സഹായിക്കും. ഈ വിധത്തിൽ ജനങ്ങളെ സംരക്ഷിക്കുന്നുണ്ടു. അതേ അവസരത്തിൽ ജനങ്ങളുടെ അത്യാവശ്യങ്ങൾ നിർവഹിക്കുന്നതിനു പണം സുലഭമായി ചിലവുചെയ്യുന്നുണ്ടു് എന്നുകൂടി ഞാൻ കേട്ടിട്ടുണ്ടു്.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery cum Peermade*): ഈ വിധത്തിൽ ചെയ്തിട്ടും ബ്രിട്ടീഷ് ഇൻഡ്യയിലും ക്ഷാമമില്ലേ?

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): ഞാൻ ഇവിടത്തെ കാര്യങ്ങൾ പറഞ്ഞകൂട്ടത്തിൽ ബ്രിട്ടീഷ് ഗവണ്മെൻറിൻെറ നയം ഇന്നതാണെന്നു പറഞ്ഞു എന്നേയൊള്ളു.

ബക്കിങ്ങ്ഹാംതോട് ഇങ്ങനെ ഒരു ക്ഷാമംവന്ന അവസരത്തിൽ വെട്ടിയതാണെന്നാണ് ഞാൻ മനസ്സിലാക്കിയിട്ടുള്ളതു്.

ഗവണ്മെൻറിന് ക്ഷാമം നേരിട്ടപ്പോൾ തിരുവിതാംകൂറിലെ രണ്ടു് മൂന്നു് രജിസ്റ്റർ ആഫീസുകൾക്ക് നാലുമാസത്തെക്ക ചിലവാകുന്ന പണം കുറച്ചാൽ ലാഭം കിട്ടുമെല്ലോ എന്നു ഗവണ്മെൻറ് വിചാരിച്ച് അതു കുറച്ചു. ജനങ്ങൾ പത്തോ മുന്നൂറോ രൂപായ്ക്കു ആധാരം എഴുതിച്ചു രജിസ്റ്ററാക്കാൻ പത്തും ഇരുപതും മയിൽ ദൂരെ പോകണമെന്നാക്കിത്തീർത്തു. നിരുപയോഗമായവിധത്തിൽ, രാജ്യത്തു എത്രയോ ആഫീസുകൾ അലങ്കാരത്തിനായിവച്ച് അതിൽ ഏതാനുംചില ഉദ്യോഗസ്ഥന്മാരേയും നിയമിച്ചിട്ടുള്ളതായി കാണാം. എന്നാൽ അതൊന്നും കുറയ്ക്കാതെ ഒൻപതു മാസമായി വരുമാനം ശരിയായിരിക്കുന്നു എന്നു കണ്ടു് രണ്ടു് മൂന്നു് രജിസ്റ്റർ ആഫീസുകളാണ് ഗവണ്മെൻറ് കുറച്ചതു്. ഇനിയും കുറയ്ക്കാൻ പോകുന്നുണ്ടത്രെ!

പിന്നീട് പണം ലാഭമുണ്ടാക്കാൻ കണ്ടുപിടിച്ച മറെറാരുവഴി സാധുക്കളായ ആക്ടിംഗ്കാരെകുറച്ച് സ്ഥിരമായവരെ സർവീസിൽ വച്ചു കൊണ്ടിരിക്ക എന്നുള്ളതാണ്. ഇങ്ങനെ പുറത്തേയ്ക്കു പറഞ്ഞയക്കുന്നതു് എൻജിനീയർ ഡിപ്പാർട്ടുമെൻറിൽ ജോലിഇല്ലാതെയിരിക്കുന്നവരിൽ ഏതാനുംപേരെ ആകരുതോ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): അവിടെയുള്ള ആക്ടിംഗ്കാരെയൊ?

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): അവിടെയുള്ള ആക്ടിംഗ്കാരെയല്ല ഞാൻ പറഞ്ഞതു്.

അവർക്കു ജോലിയില്ലാതെ ഗവണ്മെൻറ് ശമ്പളം കൊടുക്കുന്നു. ഈ ക്ഷാമകാലത്തു ഗവണ്മെൻറ് ഇങ്ങനെചെയ്യുന്നതു ന്യായമാണോ? കൂലിക്കാർക്കു വേലകിട്ടത്തക്കവണ്ണമുള്ള വേലകൾ നടക്കരുതു് എന്നു ഗവണ്മെൻറു നിശ്ചയിച്ചു. ഞാൻ ഇതൊരു കുററമായിട്ടു പറയുകയില്ല. എങ്കിലും ഗവണ്മെൻറു സ്വീകരിക്കേണ്ടനയം അതല്ല. ഈ ക്ഷാമകാ

[Mr. A. C. Kuriakose.]

ലത്തു ഗവണ്മെൻറ് പണം ചിലവുചെയ്യണം. കൂടുതൽ ഉദ്യോഗസ്ഥന്മാരെ വച്ചിട്ടായാലും ശരി, രാജ്യത്തിന്റെ നന്മയ്ക്കാവശ്യമുള്ള പണം ഉപയോഗിക്കേണ്ടവിധത്തിൽ ഉപയോഗിക്കാൻ ഗവണ്മെൻറിനു വേണമെങ്കിൽ കഴിയും.

എപ്പോഴെങ്കിലും ജനങ്ങൾക്കു സങ്കടംവരുന്നകാലത്തു വേണ്ടിവന്നാൽ ഉപയോഗിക്കുന്നതിനാണ് ഗവണ്മെൻറു ഒരു തുക നീക്കിയിരിപ്പു വച്ചിരിക്കുന്നതു എന്നു ഗവണ്മെൻറുതന്നെ പലപ്പോഴും പറഞ്ഞിട്ടുണ്ട്. ഒരു വമ്പിച്ചതുക പലിശകൂടാതെ നിക്ഷേപിച്ചിട്ടുണ്ടല്ലോ?

DEPUTY PRESIDENT: വേലയില്ലാതെ കൂലിക്കാർ ഉണ്ടെന്നാണൊ നിങ്ങൾ പറയുന്നതു്?

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): വേലയില്ലാത്തകൂലിക്കാരും ഉണ്ട്.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): തെക്കൻ തിരുവിതാംകൂറിലുമുണ്ടോ?

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ഞാൻ സാർവ്വത്രീകമായിട്ടു നോക്കിയിട്ടില്ല. തെക്കൻ തിരുവിതാംകൂറിലെ സ്ഥിതി മെമ്പർതന്നെ അറിയാം. വടക്കൻ തിരുവിതാംകൂറിലുണ്ടെന്നു എനിക്കറിയാം. തിരുവിതാംകൂറിന്റെ പലഭാഗത്തുനിന്നും ഇവിടെ പ്രതിനിധികളുണ്ട്. ഞാൻ പറയുന്നതു തെററാണെങ്കിൽ അവർക്കു തിരുത്താം.

ഇങ്ങനെ സാർവ്വത്രികമായി ബാധിച്ചിരിക്കുന്ന ഈ സംഗതി ജനപ്രതിനിധികൾ മൂലവും ജനങ്ങളുടെ സംഘങ്ങൾ മൂലവും ഗവണ്മെൻറിനെ മനസ്സിലാക്കിയതിൽ ഗവണ്മെൻറു എന്തു ചെയ്തു? ഒന്നും ചെയ്തിട്ടില്ല. ഗവണ്മെൻറിനു കിട്ടേണ്ട ആദായത്തിൽ ഒരു പൈ പോലും ആർക്കും വിട്ടു കൊടുക്കുന്നില്ല. തീരുവയെ സംബന്ധിച്ചു പറയുകയാണെങ്കിൽ സാമാനങ്ങൾക്കു നല്ല വില ഉണ്ടായിരുന്ന കാലത്തു വാങ്ങിക്കൊണ്ടിരുന്ന തീരുവ തന്നെയാണ് വിലക്കുറവുള്ള ഇക്കാലത്തും വാങ്ങിക്കുന്നത്. ഭൂനികുതി ഇന്ന തീയതിയിൽ പിരിയണമെന്നുള്ളതു പിരിഞ്ഞില്ലെങ്കിൽ ഉടനെ ഡിമാൻറു നോട്ടീസുകൾ അയച്ചു ജനങ്ങളെക്കൂടുതൽ നഷ്ടപ്പെടുത്തുന്നു. എന്നുമാത്രമല്ല കരക്കുടിശ്ശിഖയ്ക്കായി വന്നു ലേലത്തിനുള്ള പരസ്യവും ഗസററിൽ ധാരാളം കാണുന്നുണ്ട്. ഭൂസ്വത്തുകാരായ ജനങ്ങൾ—കരം കൊടുത്തു കൊണ്ടിരിക്കുന്നവരായ ജനങ്ങൾ—തീർച്ചയായും ഇവിടം വിട്ടു പുറപ്പെട്ടു പോകയില്ലെന്നു ഗവണ്മെൻറിനറിയാം. അവർക്കു ഭൂസ്വത്തും അവർ തന്നെയും ഇരിക്കുന്നിടത്തോളംകാ

ല്ലാം അവരിൽ നിന്നും ഈടാക്കി എടുക്കാനും പ്രയാസമില്ല. നികുതി ഈടാക്കി എടുക്കണമെന്നു ഗവണ്മെൻറു വിചാരിക്കുന്നുണ്ടെങ്കിൽ അവരെ സഹായിക്കണം. ഗവണ്മെൻറു മൂലധനത്തിൽ നിന്നും എടുത്തെങ്കിലും അവരെ സഹായിക്കണം എന്നെല്ലാം ജനങ്ങൾ അപേക്ഷിച്ചു കൊണ്ടിരിക്കുമ്പോൾ ഗവണ്മെൻറിൽ നിന്നും നികുതി പിരിക്കുന്നതിനു നടത്തുന്ന നടപടി നിത്തിവയ്ക്കണമെന്നുള്ള നിശ്ചയത്തിൽപോലും ഗവണ്മെൻറു യാതൊന്നും ചെയ്യുന്നില്ല.

സാമ്പത്തികാധഃപതനത്തെപ്പററി പയ്യാലോചിച്ചു വേണ്ട പരിഹാരങ്ങൾ നിർദ്ദേശിക്കാൻ ഒരു കമ്മിററി ഏർപ്പെടുത്താമെന്നു പ്രജാസഭയിൽ ദിവാൻ പ്രസിഡൻറു പറഞ്ഞു.

പ്രജാസഭാ കാലത്തു പ്രജാസഭാ മെമ്പർമാരുടെ ഒരു പ്രതിനിധിസംഘം പോയപ്പോൾ ഗവണ്മെൻറു എന്തെല്ലാം ചെയ്യാമെന്നു പറഞ്ഞുവോ അതെല്ലാം, ഗവണ്മെൻറിൽ നിന്നും വലിയ സഹായം ലഭിക്കുമെന്നു ആശിച്ചു കൊണ്ടിരിക്കുന്ന ജനങ്ങൾക്കു നിരാശയ്ക്കിടവരുത്താതെ, ഉടനടി ചെയ്യണം. ഈ വിഷയത്തിൽ ഇനിയെങ്കിലും ഗവണ്മെൻറിൻെറ ശ്രദ്ധ പതിഞ്ഞുകണ്ടാൽ കൊള്ളാമെന്നാണ് എനിക്കു പറയുവാനുള്ളത്. നാട്ടിനെ നന്നാക്കി നാട്ടിലെ ജനങ്ങളെ വേണ്ടപോലെ രക്ഷിക്കയത്രേ ഒരു ഗവണ്മെൻറു ചെയ്യേണ്ടതു്. പത്തുവർഷത്തിനു മുമ്പേ എടുത്ത സെൻസസിൽ ജനസംഖ്യ ൪൦ ലക്ഷമായിരുന്നതു ഇപ്പോൾ ൫൧ ലക്ഷമായിവദ്ധിച്ചിട്ടുണ്ടെന്നുള്ളതു നിശ്ചയം. ജനസംഖ്യവദ്ധിച്ചു കൊണ്ടിരിക്കുന്നതോടുകൂടി തന്നെ പത്തുകൊല്ലത്തിനു മുമ്പും ജനങ്ങൾക്കു എന്താദായം കിട്ടിക്കൊണ്ടിരുന്നോ അതിൽനിന്നും ജനങ്ങൾ അധഃപതിച്ചു പോയിരിക്കുന്നു എന്നുകൂടി മനസ്സിലാക്കണം. ഈ രാജ്യത്തു ദാരിദ്ര്യമില്ലെന്നും, ഗവണ്മെൻറിനു പിരിഞ്ഞുകിട്ടാനുള്ള സംഖ്യ പിരിച്ചെടുക്കേണ്ട അവസരം ഇതാണെന്നും വിചാരിക്കുന്നതു തെററാണ്. ഗവണ്മെൻറു ഏതു തരത്തിൽ മുതൽ ഉണ്ടാക്കിയാലും ജനങ്ങളുടെ നന്മയിൽ ശ്രദ്ധിക്കണം.

ഓരോ ഡിവിഷനിലും പേഷ്കാർ, തഹശീൽദാർ ഇവർ മുഖാന്തിരം ഓരോ സ്ഥലത്തെ ജനപ്രതിനിധികളുമായി ആലോചിച്ചു ഓരോഡിവിഷനിലും ക്ഷാമനിവാരണാത്ഥം എന്താണ് ചെയ്യേണ്ടതെന്നു അറിയിക്കാൻ അതാതു ഉദ്യോഗസ്ഥന്മാരെ അനുശാസിക്കണം. അവരുടെ നിർദ്ദേശങ്ങൾ ഗവണ്മെൻറിൽ വന്നശേഷം ഗവണ്മെൻറു അവയെപ്പററി അവധാനപൂവം ചിന്തിക്കണം. അനന്തരം പണം ചിലവു ചെയ്യേണ്ടിവന്നാൽ ഗവണ്മെൻറു മൂലധനത്തിൽ നിന്നു എടുത്തോ അല്ലെ

[Mr. A. C. Kuriakose]

ങ്കിൽ ശക്തിയുള്ള ഗവൺമെൻറുകളിൽ നിന്നും പണം കടം വാങ്ങിയോ രാജ്യത്തെ സുഭിക്ഷമാക്കണം.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): ഞാനും ഈ പ്രമേയത്തെ ബലമായി പിൻതാങ്ങുന്നു. രാജ്യം ഒട്ടുക്കു വലുതായ ക്ഷാമം നേരിട്ടിരിക്കുന്ന ഈ സമയത്തിൽ ഗവൺമെൻറു ശ്രദ്ധിച്ചു ഉടനടി എന്തെങ്കിലും നിവൃത്തിമാർഗ്ഗം ഉണ്ടാക്കണം എന്നുള്ള അഭിപ്രായം ജനങ്ങളുടെയിടയിൽ നിന്നും പരക്കെ പുറപ്പെടുന്നു. കാർഷികോല്പന്നങ്ങളുടെ വിലക്കുറവു നിമിത്തം വന്നിട്ടുള്ള ക്ഷാമം പരിഹരിക്കാൻ ഗവൺമെൻറിനു എന്തു ചെയ്യാൻ സാധിക്കും. സാമ്പത്തികാധഃപതനത്തിനു ഉടനടി പരിഹാരം ഉണ്ടാക്കണമെന്നു പറയുവാൻ എളുപ്പമാണ്. അതിനെ പൂർണ്ണമായി പ്രവൃത്തിയിൽ കൊണ്ടുവരുവാൻ അസാദ്ധ്യംതന്നെ. അതു സമ്മതിക്കുകതന്നെ വേണം. എന്നാൽ എന്താണ് ഗവൺമെൻറു ചെയ്യേണ്ടതു്. ഇവിടത്തെ പരിതസ്ഥിതിക്കനുസരണമായി എന്തെങ്കിലും പരിഹാരം ഉണ്ടാക്കുവാൻ കഴിവുണ്ടോ എന്നു ഗാഢമായി ആലോചിച്ചു കഴിവുള്ളതു ചെയ്യണം. എന്നാൽ ജനങ്ങൾ ഇതുവരെ പറഞ്ഞിട്ടുള്ളതിൻെറ ഫലമായി ഒന്നും പ്രവൃത്തിച്ചില്ലെന്നുള്ളതാണ് ജനങ്ങൾക്കു ഗവൺമെൻറിനോടുള്ള സങ്കടം. ജനങ്ങളുടെ ക്ഷാമത്തെ ഇപ്പോൾ ഉടനടി പൂർണ്ണമായി പരിഹരിക്കാൻ ഗവൺമെൻറിനു സാദ്ധ്യമല്ല. എന്നാൽ കഴിവുള്ളതു് ചെയ്യുന്നതിനു സന്നദ്ധമാണെന്നു കണ്ടാൽ ജനങ്ങൾക്കു ആശ്വാസമുണ്ട്. ഈ അവസരത്തിൽ ഗവൺമെൻറിൽ നിന്നും ചെയ്യേണ്ടതായ സംഗതികൾ എന്തെല്ലാമാണെന്നു പലരും നിർദ്ദേശങ്ങൾ പറഞ്ഞു. പ്രമേയാവതാരകൻ മിസ്റ്റർ കേശവപിള്ള പല സംഗതികളും പറഞ്ഞു. ഉൽപന്നങ്ങൾക്കു വിലക്കൂടുതൽ കിട്ടുന്നതിനു ശ്രമിക്കുവാൻ ട്രെയിഡ് ഏജൻറിനെ യൂറോപ്പിലൊ മറെറാ അയക്കണമെന്നു പറഞ്ഞു. അതു അത്യാവശ്യമായ ഒരു കാര്യം തന്നെയാണ്. എന്നാൽ അതിലേക്കു വലിയ ചിലവുവരുവാൻ പാടില്ല. മാസം രണ്ടായിരത്തോളം രൂപാ അതിലേക്കു ചിലവു ചെയ്യണമെന്നു പറഞ്ഞു. അതു അധികമാണ്. അതിൽ, പകുതിയിൽ കൂടാൻപാടില്ല. ഇങ്ങിനെ ഒരാളിനെ നിയമിച്ചാൽ എവിടെയെല്ലാം നമ്മുടെ സാമാനങ്ങൾ ചിലവാകും, എന്തെല്ലാം സാമാനങ്ങൾ ചിലവാക്കാം, എന്നുള്ളതു ഏകദേശം അറിയാം. പന്ത്രണ്ടു കോടിയോളം രൂപാ ഇറക്കുമതിയും എട്ടുകോടിയോളം രൂപാ കയററുമതിയും ഉണ്ടല്ലൊ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): കയറുമതി ൧൧ കോടി രൂപായും ഇറക്കുമതി ൯ കോടി രൂപായും ആണ്.

DEPUTY PRESIDENT: ഇതിലധികവും ബ്രിട്ടീഷിൻഡ്യൻ ട്രെയിഡാണൊ അതല്ല യൂറോപ്യൻ ട്രെയിഡാണൊ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): ശരിയായ വിവരം അറിയാൻ കഴിവില്ല. ഇൻഡ്യയുടെ മറുഭാഗങ്ങളിൽ പോയിട്ടു യൂറോപ്പിലും അമേരിക്കയിലും പോകുന്നവയുമുണ്ട്.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): നൂറിനു എൺപത്തൊമ്പതും ബ്രിട്ടീഷിൻഡ്യയുമായിട്ടാണെന്നറിയാമോ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): ഫിനാൻസ്മെമ്പർ അങ്ങനെ പറയുന്നതുകൊണ്ടു സമ്മതിക്കാം.

ഈ സാമാനങ്ങൾ ഇൻഡ്യയിൽനിന്നും പുറത്തു പോകുന്നുണ്ടോ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Goverrment*): ഉണ്ട്, അതു് ഇംഗ്ലണ്ടിലാണ്.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അമേരിക്കയിലേക്കും ഉണ്ട്. നമ്മുടെ നാട്ടിലുള്ള സാധനങ്ങൾക്ക് എല്ലാരാജ്യങ്ങളിലും പ്രചാരം ഉണ്ടാക്കുവാൻ ശ്രമിക്കേണ്ടതു അത്യാവശ്യമാണ്.

MR. MATTHEW MURIKKAN (*Vaikam*): നമ്മുടെ സാമാനങ്ങളെ ബ്രിട്ടീഷിൻഡ്യയിലേക്കല്ലാതെ അന്യനാടുകളിൽഎവിടെയെങ്കിലും അയച്ചുകൂടാ എന്നുണ്ടോ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അങ്ങനെ ഒന്നുംഇല്ല.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): ബ്രിട്ടീഷിൻഡ്യയിലേക്കു പോകുന്ന സാമാനങ്ങൾക്കുതന്നെ ശരിയായ വില കിട്ടുന്നുണ്ട് എന്നു നിശ്ചയമുണ്ടോ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അതു നിശ്ചയമില്ല.

വലിയ കച്ചവടകേന്ദ്രങ്ങളായ ലണ്ടൻ, ന്യൂയോക്ക് മുതലായ പട്ടണങ്ങളിൽ ഏജൻറ് ഉണ്ടായിരുന്നാൽ നമ്മുടെ സാമാനങ്ങൾക്കു വിലക്കൂടുതൽകിട്ടുമെന്നു പറയുന്നതു പരീക്ഷിച്ചുനോക്കേണ്ടതാണ്.

MR. REVATI NAL RAMAVARMA RAJA (*Edavagai*): ബ്രിട്ടീഷിൻഡ്യയിൽ പോകുന്ന സാമാനങ്ങളൊക്കെ ശീമയിലാണു പോകുന്നതു എന്നറിയാമൊ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): എല്ലാം അങ്ങോട്ടു പോകുന്നില്ല എന്നാണു ഞാൻ വിചാരിക്കുന്നതു്. പാക്കുതന്നെ ഉദാഹരണം.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): നമ്മുടെ ഉല്പന്നങ്ങൾ കൂടുതൽ മാക്കററു കിട്ടുന്നതായ ഇംഗ്ലണ്ടിൽ നേരിട്ടുപോയാൽ കൂടുതൽ ലാഭം അല്ലേ കിട്ടുന്നതു്?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അതു സ്പഷ്ടമാണ്. ഇരുപതുകോടി രൂപായ്ക്കുസാമാനങ്ങൾ ഏററുമതിയുംഇറക്കുമതിയും ചെയ്യുന്നുണ്ടു്. അതിൽ അഞ്ചു്ശതമാനംവീതംകൂടുതൽ നമുക്കു ലാഭം കിട്ടുകയാണെങ്കിലും ഒരു വൻപിച്ച ആദായം രാജ്യത്തു വരുന്നതാണ് അതുകൊണ്ടു് അതിനു സൌകര്യം ഉണ്ടാക്കേണ്ടതു് അത്യാവശ്യമാണ്. നമ്മുടെ രാജ്യം പോലെയുള്ള മൈസൂരിൽ ഈ ഏർപ്പാടു നടപ്പാക്കിയിരിക്കുന്നു.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): മൈസൂരിൽ ചന്ദനത്തൈലം അല്ലാതെ വേറെ വല്ലതിനും മാക്കററു് ഉണ്ടാക്കാനുണ്ടോ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അതല്ലാതെ മററൊന്നും ഇല്ല എന്നു പറയുവാൻ എനിക്കു സാധിക്കയില്ല.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): വേറെ വല്ലതുമുണ്ടോ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): മൈസൂരിൽനിന്നു തടി, ആനക്കൊമ്പു്, ഏലം, തെള്ളി, കുന്തിരിക്കം മുതലായ വനംവിളവുകളെങ്കിലും പുറത്തു പോകുന്നില്ലെന്നു പറയാൻ വയ്യ.

MR. K MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): മൈസൂരിലെ ചന്ദനത്തൈലത്തിനു കൂടുതൽവിലകിട്ടുന്നു എന്നുള്ളതു തീർച്ചയല്ലേ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അതെ. ഗവൺമെൻറിനു പണസംബന്ധമായി വലിയ വിഷമം ഉണ്ടാകാതെ ജനങ്ങളെ സഹായിക്കാൻ എന്താണുമാർഗ്ഗംഎന്നാലോചിക്കണം. അധികം അംഗങ്ങളുള്ള ഒരു കുടുംബത്തിനു ദാരിദ്ര്യം വരികയാണെങ്കിൽ കൃഷിസ്ഥലങ്ങളിൽ തരിശുകിടപ്പുള്ളവയെ കൃഷിചെയ്യിച്ചും പണം കടം കൊടുത്തിട്ടുണ്ടെങ്കിൽ അതു തിരിയെ വാങ്ങിച്ചു അതുകൊണ്ടു തൊഴിൽ ചെയ്യിച്ചും കുടുംബത്തിന്റെ ബുദ്ധിമുട്ടു പരിഹരിക്കണം. അതുപോലെ

തന്നെ രാജ്യമാകുന്ന മഹാകുടുംബത്തിന്റെ കാൎയ്യത്തിലും ഗവണ്മെന്റു ചെയ്യണം. ഒന്നരകോടിരൂപ പുറത്തുകടംകൊടുത്തിരിക്കുന്നതിനെ തിരിയെ വാങ്ങിക്കണം. രാജ്യത്തിൽ ധാരാളം സ്ഥലം കൃഷിക്കു ഉപയോഗപ്പെടുന്നതു വനമായി കിടക്കുന്നുണ്ടു്. ക്ഷാമകാലത്തു ഭക്ഷണത്തിനാണു് വിഷമമധികംവരുന്നതു്. ദീൎഘനാളു പട്ടിണികിടക്കാൻ ആൎക്കു സാധിക്കും. അതിനാൽകൃഷിക്കുപയോഗമുള്ള സ്ഥലങ്ങളെ പതിച്ചുകൊടുത്താൽ അതിൽനെൽകൃഷിയും മരച്ചീനികൃഷിയുംചെയ്തു ജനങ്ങൾ കാലക്ഷേപം ചെയ്യും. ജനസംഖ്യ വളരെ വൎദ്ധിക്കുന്നു എന്നു ഇപ്പോഴത്തെ സെൻസസ്സു വെളിവാക്കുന്നു. വൎദ്ധിച്ചുവരുന്ന ഒരു കുടുംബത്തിലെ അംഗങ്ങൾക്കു ആഹാരം ഉണ്ടാക്കിക്കൊടുക്കുന്നതിനാണല്ലൊ കുടുംബക്ഷേമത്തെ ഉദ്ദേശിക്കുന്ന നായകൻ ഒന്നാമതായി ശ്രമിക്കേണ്ടതു്. മരച്ചീനി ഈ വലിയ ക്ഷാമത്തെ വളരെ തടുത്തുകൊണ്ടിരിക്കുന്ന ഒന്നാണു്. കുരുമുളകു്, ചുക്കു്, പാക്കു്, നാളികേരം ഇവയ്ക്കെല്ലാംകൂടെ നല്ല വില ഉണ്ടായിരിക്കുമ്പോൾ ഒരു വലിയ തുക കയററുമതിയിൽനിന്നും കിട്ടിയിരുന്നു. അന്നു നെല്ലും അരിയും വാങ്ങിക്കാൻ വിഷമം ഉണ്ടായിരുന്നില്ല. ഇപ്പോൾ വില എത്രയൊ വളരെ കുറഞ്ഞിരിക്കുന്നു. അഞ്ചാറുകോടി രൂപ ഇതുനിമിത്തം കുറവുവന്നിരിക്കുന്നു. ഈ സ്ഥിതിക്കു് എങ്ങിനെ ഇറക്കുമതി സാമാനങ്ങൾ വാങ്ങുവാൻ ജനങ്ങൾ ശക്തരാകും. മരച്ചീനികൃഷിയെങ്കിലും ചെയ്തു കാലക്ഷേപം ചെയ്യാൻ തക്കവണ്ണം ജനങ്ങൾക്കു ഭൂമി നല്കണം. പുറത്തു കൊടുത്തിട്ടുള്ള കടങ്ങൾ തിരിയെ എടുത്തു ഭൂസ്വത്തു ജാമ്യബാങ്കു് സ്ഥാപിക്കണം. അങ്ങനെ ഒരു ബാങ്കു് സ്ഥാപിക്കണമെന്നു ഞാൻതന്നെ ഒരു റസല്യൂഷൻ ഇവിടെ കൊണ്ടുവരികയും സഭ പാസാക്കയും ചെയ്തിട്ടുണ്ടു്. പുറത്തുകൊടുത്തിട്ടുള്ള കടം ഉടനടി തിരിയെ കിട്ടിയില്ലെങ്കിൽ അതിനെ ജാമ്യം വച്ചു വേറെ കടം വാങ്ങിച്ചാലും മതി. ഒരു കുടുംബത്തിലെ അംഗങ്ങൾ പട്ടിണികിടക്കുമ്പോൾ ഉള്ളപണം കടംകൊടുത്തു പലിശകൊണ്ടു മേലിൽ സമ്പാദ്യം ഉണ്ടാക്കാമെന്നു വിചാരിക്കുന്നതു യുക്തമല്ല. അതുകൊണ്ടു ആദായമുള്ള തൊഴിൽ ചെയ്കയാണുവേണ്ടതു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): ഭൂമി പതിച്ചുകൊടുക്കയാണെങ്കിൽ തറവില കെട്ടിവയ്ക്കാൻ പണംവേണ്ടേ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): തറവില പല കൊല്ലങ്ങൾ കൊണ്ടു ഈടാക്കണം. ഗവണ്മെന്റു, കച്ചവടക്കാരെപ്പോലെ, ലാഭംമാത്രം നോക്കരുതു്. ഇപ്പോൾ അതുകൊണ്ടു ചുരുങ്ങിയതറവിലയ്ക്കു ഭൂമിപതിച്ചു കൊടുക്കണം. മൈസൂരിലും മലബാറിലും

[Mr. Tariatu Kunjitomman.]

ഉള്ള ഗവണ്മെൻറുകൾ വളരെക്കാലത്തേക്ക് കരം വേണ്ടെന്നും വളരെക്കാലം കൊണ്ടു തറവിലതന്നാൽ മതിയെന്നുമുള്ള വ്യവസ്ഥയിന്മേൽ ഭൂമിപതിച്ചുകൊടുക്കുന്നുണ്ടു്. ജനസംഖ്യ വദ്ധിച്ചുവരുന്ന തിരുവിതാംകൂറിലെ പ്രജകൾക്ക് അരഏക്കർ വീതം പോലും സ്ഥലം ആളൊന്നിന് ശരാശരിയില്ലാതിരിക്കെ രാജ്യത്തിൻെറ മൂന്നിൽ ഒരുഭാഗവും റിസർവ്വാക്കിവച്ചുകൊണ്ടിരിക്കുന്നതു ആക്ഷേപാർഹമാണ്. കൃഷിക്കാരായ ജനങ്ങൾക്കു കൃഷിചെയ്യുന്നതിനു സൌകൎയ്യം ഉണ്ടാക്കി കൊടുക്കേണ്ടതാണ്. അവരുടെ പരിശ്രമഫലമായി കിട്ടീട്ടുള്ളതും കടംകൊടുത്തിരിക്കുന്നതുമായ പണത്തിനെ തിരിയെ വാങ്ങിച്ച് ഭൂസ്വത്തുജാമ്യബാങ്കിൽസ്ഥാപിച്ച് ഉടനെ കൃഷിക്കാൎക്കു കടമായി വീതിച്ചു കൊടുക്കണം. മുൻപു പറഞ്ഞതു പോലെ ട്രെയിഡ് ഏജൻറിനെ നിയമിക്കണം. കൃഷിക്കാർക്ക് ക്ഷാമം ഉണ്ടായാൽ എല്ലാവൎക്കും വിഷമം തന്നെ. കച്ചവടക്കാൎക്കും ഡാക്ടർമാൎക്കും വക്കീലന്മാൎക്കും എല്ലാം പരക്കെ വിഷമം നേരിടും. അതുതന്നെയാണ് ഇപ്പോഴത്തെ സ്ഥിതി. കൃഷിക്കാൎക്കു പണമില്ലെങ്കിൽ ഒരു സ്ഥലത്തും പണമില്ല. ഉറവുണ്ടെങ്കിലെ ഊററിൽനിന്നും വെള്ളമൊഴുകുകയുള്ളു. അതുകൊണ്ടു കൃഷിക്കാരുടെ കാൎയ്യമാണു ഒന്നാമതായി നോക്കേണ്ടതു്. ഗവണ്മെൻറു ഇക്കാൎയ്യത്തിൽ വളരെ ശ്രദ്ധിക്കേണ്ടതായിരിക്കുന്നു. ഗ്രാമജീവിത സമ്പ്രദായം ഇവിടെ ഇല്ലാത്തതുകൊണ്ടു കൃഷിക്കാർ ഒററ ഒററയായിട്ടാണ് വീടുവച്ചു താമസിക്കുന്നതു്. പട്ടണങ്ങളിൽകൃഷിക്കാർ കുറവാണ്. പട്ടണങ്ങളിലാണു സ്കൂളുകൾ, ആസ്പത്രികൾ, റോഡുകൾ ഇവ വദ്ധിപ്പിക്കുന്നതു്. നാട്ടുംപുറം ഉപേക്ഷിച്ചതു പോലെ കിടക്കുന്നു. കൃഷിക്കാൎക്ക് മുൻപറഞ്ഞ സൗകൎയ്യങ്ങളൊന്നും ശരിയായി ഇല്ലാതിരിക്കെ ഉൽപന്നങ്ങളുടെ വിലക്കുറവു് നിമിത്തമുള്ള ആപത്തു കൂടിവന്നുചേൎന്നിരിക്കുന്നതിനാൽ ഈ അവസരത്തിലെങ്കിലും അവൎക്ക് വേണ്ടസഹായം ചെയ്യേണ്ടതു് അത്യാവശ്യമാണ്. ഉൾനാടുകളിൽ വേണ്ടറോഡുകൾ ഉണ്ടായിരുന്നെങ്കിൽ അതു് നിമിത്തം കൃഷിക്ക് രക്ഷയാകുമായിരുന്നു. ഇപ്പോൾ തുടങ്ങിട്ടുള്ളവയുടെ വേലകൾപോലും നിൎത്തിയിരിക്കുന്നു. കൃഷിക്കാരുടെ പുരയിടത്തിലുള്ള തേക്ക് തടികളെ ഈ അവസരത്തിലെങ്കിലും അവൎക്ക് വിട്ടുകൊടുക്കണം. എല്ലാരാജ്യങ്ങളിലും അതിനെ സ്ഥലമുടമസ്ഥന്മാൎക്ക് തന്നെ വിട്ടിരിക്കുകയാണ്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): തേക്കുതടിയുള്ളവർ ഇപ്പോൾ എത്രപേർഉണ്ടു്?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): ഉള്ളവർക്ക് കൊടുത്താൽമതി. മിസ്റ്റർ കേശവപിള്ള പറഞ്ഞതുപോലെ കാൺട്രാക്ട് കൊടുക്കുന്നതും ചെറിയ അംശമാക്കി പലർക്കും കിട്ടത്തക്കവണ്ണം കൊടുക്കണം. അതുകൊണ്ട് ഇപ്പോഴത്തേക്കാൾ കൂടുതൽ ജനങ്ങൾക്ക് കാലക്ഷേപത്തിനു മാർഗ്ഗം കിട്ടും.

ഒരുവർഷത്തെകരം ഇളവ് ചെയ്തു കൊടുക്കണമെന്ന് ഇവിടെ ചിലർപറഞ്ഞു. അതും ഉടൻവേണ്ടതാണ്. എന്നാൽ ഓരോന്നും കൊണ്ട് ഓരോ കൂട്ടക്കാർക്കാണ് രക്ഷകിട്ടുന്നതു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): കരമുള്ളവർ രാജ്യത്തിന്റെ എല്ലാഭാഗങ്ങളിലും ഉണ്ടെന്ന് അറിയാമോ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): എല്ലാവർക്കും കരമില്ല. എന്നാൽ ക്ഷാമം എല്ലാവർക്കുംഉണ്ട്. അതുകൊണ്ട് എല്ലാവർക്കും രക്ഷവേണമെങ്കിൽ മേല്പറഞ്ഞ പലതും ചെയ്യണം. പല തരക്കാർക്കാണ് അതുകൊണ്ടു രക്ഷകിട്ടുന്നതു്. കാൺട്രാക്ട് കൊടുക്കുന്നതു് പലർക്കും കിട്ടത്തക്കവണ്ണം വ്യവസ്ഥചെയ്യണമെന്ന് മിസ്റ്റർ കേശവപിള്ളപറഞ്ഞു. എന്നാൽ അതു്കൊടുക്കുന്ന ഉദ്യോഗസ്ഥന്റെ ജാതിക്കാർക്ക് അധികപങ്കം പോകാതെ കുറഞ്ഞ റേറ്റുകാർക്ക് കിട്ടത്തക്കവണ്ണം വ്യവസ്ഥപ്പെടുത്തണം. ഈ രാജ്യവാസികൾക്ക് ഗവണ്മെൻറിന്റെ പണം ന്യായമായ ഏതു രൂപത്തിലെങ്കിലും കിട്ടത്തക്കവണ്ണം ഗവണ്മെൻറ് ശ്രദ്ധിക്കണം. കാൺട്രാക്റ്റു കഴിയുന്നതും പുറത്തുള്ളവർക്ക് കൊടുക്കരുതു്. ഞാൻഇതു് പറയുന്നതുകൊണ്ട് എനിക്ക് കാൺട്രാക്റ്റുണ്ടെന്നൊ, അതിലേക്ക് ആഗ്രഹമുണ്ടെന്നൊ ആരും തെറ്റിധരിക്കരുതു്. ഞാൻയാതൊരു ഉദ്യോഗസ്ഥന്റേയും അടുക്കൽ ആർക്കുവേണ്ടിയും കാൺട്രാക്റ്റിന് ശുപാർശ്ചെയ്തപോലും ഇതുവരെചെയ്തിട്ടില്ല. നീതിയേയും ജനക്ഷേമത്തേയും കരുതിമാത്രം പറയുന്നതാണ്. അനീതി ഏതു് കാര്യത്തിലും അനുവദിക്കത്തക്കതല്ലല്ലൊ.

ഉദ്യോഗസ്ഥന്മാരുടെ ശമ്പളത്തിന്റെ ഒരു ഭാഗം കുറയ്ക്കണമെന്നിവിടെ പറഞ്ഞു. അങ്ങിനെചെയ്യുന്നതു് വലിയ കഷ്ടമല്ലെ എന്ന് തോന്നും. മുമ്പ് നൂറുരൂപാകൊണ്ട് സാധിക്കുന്ന കാര്യം ഇപ്പോൾ ൬൦ രൂപാകൊണ്ട് സാധിക്കാം. മുമ്പ് നൂറ്രൂപാകിട്ടിവന്ന ഒരു കൃഷിക്കാരന് സാധനങ്ങളുടെ വിലക്കുറവ് നിമിത്തം ഇപ്പോൾ അൻപതൊ അറുപതൊ രൂപായെകിട്ടുന്നുള്ളു. ഇതു് നിമിത്തം വലിയ വിഷമം നേരിട്ടിട്ടുണ്ട്. അവർക്കു ഒരു കൊല്ലത്തെ കരം ഇളവ് ചെയ്വാൻ ൨൫-ശതമാനം

[Mr. Tariatu Kunjitomman.]

ശമ്പളം കുറവ് ചെയ്യുന്നതു്കൊണ്ട് ദോഷമില്ല. പണത്തിന്റെ വിലക്കൂടിയതു കൊണ്ട് നൂറിന്റെ പഴയസ്ഥാനം അറുപതിനോ എഴുപതിനോ ഉണ്ട്.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : നൂറു രൂപായും അതിൽ കൂടുതലും ശമ്പളം ഉള്ളവരിലും കടക്കാരുണ്ടെന്നറിയാമോ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*) : ൧൦൦൦ രൂപായുള്ളവരിലും കടക്കാർ കാണും. അതിനു പരിഹാരം ഉണ്ടാക്കുന്നതിനു സാധിക്കയില്ല. അങ്ങനെ ഉണ്ടാകുന്നതു അവരുടെ അമിതവ്യയം കൊണ്ടോ മറ്റോ ആയിരിക്കാം. അതിനാൽ നൂറുരൂപാ ഉണ്ടായിരുന്നവർക്ക് ഇപ്പോൾ എഴുപതുരൂപാ കൊണ്ട് പണ്ടത്തെപ്പോലെ കഴിയാമോ എന്നാണ് നോക്കേണ്ടതു്. ചുരുക്കമായിക്കാണുന്ന വ്യതസ്ഥമല്ല നോക്കേണ്ടതു്.

MR. V. J. OOMMEN (*Commerce and Industry, North*) : ചില രാജ്യങ്ങളിൽ ഉദ്യോഗസ്ഥന്മാരുടെ ശമ്പളം കുറച്ചുവരുന്നതായി മെമ്പർ പത്രങ്ങളിൽ വായിച്ചിട്ടുണ്ടോ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): വായിച്ചിട്ടുണ്ട്. ഉദ്യോഗം എല്ലാവർഗ്ഗക്കാർക്കും കൊടുക്കണം. ചിലർക്ക് അതു് മിക്കവാറും കുത്തകയായിരിക്കുന്നു എന്നു തോന്നിപ്പോകുന്നു. അതു എല്ലാവർക്കും കിട്ടാൻ അവകാശം ഉള്ളതാണല്ലോ. കോടിരൂപയാണ് പ്രതിവർഷം ആ ഇനം. ഇതിനു എല്ലാവർഗ്ഗങ്ങൾക്കും അർഹതയുണ്ട്. ഉദ്യോഗസ്ഥന്മാരുള്ള കുടുംബങ്ങൾക്കും ആ വർഗ്ഗത്തിലുള്ളവർക്കുമാണ് മറ്റുള്ളവരെ അപേക്ഷിച്ച് ഇപ്പോൾ ക്ഷേമം. ഒരു രാഷ്ട്രം മറ്റൊരു രാഷ്ട്രത്തെ കീഴ്പ്പെടുത്തി ഭരിയ്ക്കുന്നതുപോലെതന്നെ ചില വർഗ്ഗങ്ങൾ മറ്റുവർഗ്ഗങ്ങളെ അധികാരങ്ങൾ ചെലുത്തി ഭരിക്കുന്നതു കൊണ്ടു കീഴ്പ്പെടുന്ന വർഗ്ഗങ്ങൾക്കു സാമ്പത്തികമായും വലിയ വിഷമങ്ങൾ നേരിടുന്നു.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): ശമ്പളം നെല്ലായിട്ടോ അരിയായിട്ടോ കൊടുക്കുകയാണെങ്കിൽ ഇന്നത്തെ ശമ്പളം കുറയ്ക്കണമെന്നുണ്ടോ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അതു വിഷയത്തിനു യോജിച്ച പായിന്റല്ല.

DEPUTY PRESIDENT : അതിനു സംബന്ധമുണ്ടെന്നു തോന്നുന്നില്ല

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): ഗവണ്മെൻറിൽനിന്നും ഇക്കാര്യങ്ങളെല്ലാം ഉടനേ ശ്രദ്ധിക്കണം. ഇപ്പോഴത്തെ ഉദ്യോഗനിയമന സമ്പ്രദായം ഒരു മത തത്വത്തിനും യോജിക്കുമെന്നു തോന്നുന്നില്ല. സമഭാവന അതിൻെറ സമീപത്തുപോലുംകാണുന്നില്ല. നീതിയും സത്യവും ഒരു മതക്കാരും ഉപേക്ഷിക്കരുതല്ലോ.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): നൂറുരൂപായും കൂടുതലും പെൻഷൻ വാങ്ങിയ്ക്കുന്ന ഉദ്യോഗസ്ഥന്മാർഉണ്ട്. അതിൽനിന്നും കുറയ്ക്കണമെന്നുണ്ടോ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അതു ഞാൻ പറഞ്ഞില്ല. ഞാൻ പറഞ്ഞതെല്ലാം വ്യക്തമാണ്. ഇതു സംബന്ധിച്ച് കൂടുതൽ അഭിപ്രായങ്ങളും ഉണ്ടെങ്കിൽ ചോദ്യം കൂടാതെ പറയാം.

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ഉദ്യോഗവിതരണം ക്ഷാമനിവാരണത്തിനുള്ള ഒരു തല്ക്കാലപ്രതിവിധിയാണോ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): ഒരുകോടി രൂപായാണ് ഈ ഉദ്യോഗവിതരണത്തിനുവേണ്ടി വിതരണം ചെയ്യുന്നതു്. അതിൻെറ പങ്ക് കിട്ടുന്നതു്, കിട്ടാതെയിരിക്കുന്നവരെ സംബന്ധിച്ചിടത്തോളം ക്ഷാമനിവാരണത്തിനുതകും. മുമ്പു മി. കേശവപിള്ള പറഞ്ഞതായ കാൺട്രാക്ട്, ടെയിഡ് ഏജൻറ്, ഇവയിലധികം പ്രാധാന്യം ഇതിനുണ്ട്.

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ഒരു കെട്ടിടം ൫൦,൦൦൦ രൂപാക്ക് കാൺട്രാക്ട് എടുക്കുന്നു എങ്കിൽ അതിൻെറ കൂര ഒരാളിന്, ഭിത്തിഒരാളിന് ഇങ്ങനെ പ്രത്യേകം പ്രത്യേകം കാൺട്രാക്ട് കൊടുക്കണമെന്നാണോ പറയുന്നതു്?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*) യുക്തിയും വിവേകവും ഒരിടത്തും ത്യജിക്കണമെന്നിവിടെ ആരും പറഞ്ഞില്ല.

MR. R. RAMAN PILLAI (*Kottayam*): സർ, സാമ്പത്തികാധഃപതനം നിമിത്തം നമ്മുടെ രാജ്യത്തിനു നേരിട്ടിരിക്കുന്നവിഷമതകളെപ്പററി എൻെറ പല മാന്യസ്നേഹിതന്മാരും സംസാരിച്ചിട്ടുള്ളതിൽ വിട്ടുപോയി എന്നു എനിക്കു തോന്നുന്ന ചില ഭാഗങ്ങളെപ്പററി സംസാരിക്കുന്നതിനായി ഞാൻ ഈ അടിയന്തിരപ്രമേയത്തെ പിൻതാങ്ങിക്കൊള്ളുന്നു. തിരുവിതാംകൂർ ഗവണ്മെൻറിൻെറ ഭണ്ഡാഗാരത്തെ പുഷ്ടിപ്പെടുത്തുന്നതിനു വ്യവസായിക വിഷയത്തിലും നൂതന കൃഷിസമ്പ്രദായമാർഗ്ഗങ്ങളിലും പ്രവേശിച്ച് പല വർഷങ്ങളിലായി ഒരു വലിയ സംഖ്യ നാട്ടുകാർ

[Mr. R. Raman Pillai.]

മററു പല ആളുകളിൽനിന്നും കടം വാങ്ങി മുടക്കികഴിഞ്ഞിട്ടുണ്ട്. കൃഷിയിലും വ്യവസായത്തിലും കിട്ടുന്ന ഉല്പന്നങ്ങളുടെ വില തുലോം കുറഞ്ഞുപോയി. ഇങ്ങനെ വാങ്ങിയിട്ടുള്ള പണമാകട്ടെ എണ്ണി എണ്ണി എണ്ണമായിട്ടുതന്നെ കൊടുക്കയും വേണം. ഈ കടം കൊടുത്തുതീർക്കാൻ നിവൃത്തിയില്ലാതെ പ്രധാനപ്പെട്ട കൃഷിക്കാരും വ്യവസായികളും കഷ്ടപ്പെടുന്നു. അനേകം യോഗ്യന്മാരുടെ പണം ഡിപ്പോസിററായി വാങ്ങിച്ചതു മുഴുവൻ ബാങ്കുകാർ തൊഴിലാളികൾക്കു വിതരണം ചെയ്യുപോയതുനിമിത്തം ഡിപ്പോസിററ്കാൎക്കു ആ പണം തിരികെകൊടുക്കാൻ നിവൃത്തിയില്ലാതെ ബാങ്കുകാർ ബുദ്ധിമുട്ടുന്നു. ആയിരം രണ്ടായിരം രൂപാ വിലപിടിക്കുന്ന സ്വത്തുക്കൾ സിവിൽ കോടതി മുഖാന്തിരം അഞ്ച്, പത്തു, രൂപയ്ക്കു വിററുപോകുന്നു. ഇതു തുടൎന്നുകൊണ്ടിരുന്നാൽ ഇന്നത്തെ കുബേരന്മാരെല്ലാം താമസിയാതെ കുചേലന്മാരായിപോകും. സാധുക്കളെ സംരക്ഷിക്കുന്നതിനു ശക്തിയുള്ള പ്രധാനതൊഴിലാളികൾ നശിച്ചുപോകുന്നപക്ഷം രാജ്യത്തിൻെറ നട്ടെല്ലുതന്നെ തകൎന്നുപോകുന്നതാണ് എന്നു വിചാരിക്കണം.

ഇപ്പോൾ സിവിൽകോടതികളിൽ നടത്തുന്ന വിധിനടത്തു നടപടികൾ ഒട്ടും ചില്ലറയല്ല. കഴിഞ്ഞ കൎക്കടകത്തിൽ ഞാൻ തന്നെ ഒരു വിധിനടത്തു നടപടി നടത്തി. പുള്ളിവന്ന് ആറുമാസത്തെ അവധി വേണമെന്നു പറഞ്ഞു; കൊടുത്തു പണംതന്നില്ല. വീണ്ടും നടപടിനടത്തി. അയാളുടെ ഭാൎയ്യയും കുട്ടികളും വന്ന് എൻെറ വീട്ടിലുള്ള സ്ത്രീജനങ്ങളോടു സങ്കടം പറഞ്ഞു് ഞാൻ ആ നടപടിനിൎത്തിവച്ചു. ഇപ്പോൾ ഇനി എനിക്കുതന്നെ വാറണ്ടു വരികയില്ലയോ എന്നു ഞാൻ സംശയിക്കുന്നു. രാജ്യത്തെ അഭിവൃദ്ധിപ്പെടുത്തുന്നതിനായി കടം വാങ്ങിയിട്ടുള്ള ആളുകളുടെ സ്വത്തു സിവിൽ കോടതിമുഖാന്തിരം വിട്ടുപോകാതിരിക്കുന്നതിനു ഗവൺമെൻറിൽനിന്നും രാജാധികാരം പ്രയോഗിച്ചായാലും വേണ്ടില്ല, ഏതാനും കാലത്തേയ്ക്കു ഒരു വ്യവസ്ഥ ഉണ്ടാക്കേണ്ടതു് അത്യാവശ്യമാണ്. ഈ ഏക സംഗതിമാത്രം ഞാൻ ഈ കൌൺസിലിൻെറ ശ്രദ്ധയിൽകൊണ്ടുവന്നു കൊള്ളുന്നു. ബാക്കിയെല്ലാം എൻെറ സ്നേഹിതന്മാർ പറഞ്ഞുകഴിഞ്ഞതിനാൽ ഞാൻ കൂടുതലായി പറയുന്നില്ല.

MR. ITTOOP ITTEECHAN (*Kunnatnad*): സർ, ഞാൻ ഈ പ്രമേയത്തെ ഹാൎദ്ദമായി പിൻതാങ്ങുന്നു. ഉല്പന്നങ്ങളുടെ വിലക്കുറവു കൊണ്ടു ഇവിടെ ക്ഷാമം വൎദ്ധിച്ചിട്ടുണ്ട് എന്നുള്ള സംഗതി എൻെറ ബഹു

റ്റു പ്രസംഗത്തിൽ വളരെ ശക്തിമത്തായി പറഞ്ഞിട്ടുണ്ടായിരുന്നു. അതിലേക്ക വേണ്ട നിവാരണമാൎഗ്ഗങ്ങളുണ്ടാകണമെന്നുള്ള എന്റെ അഭ്യൎത്ഥനയെപ്പററി ഗവണ്മെൻറു ഗൌനിച്ചില്ല. എന്റെ സ്നേഹിതന്മാർ ഇന്നിവിടെ ഇതിനെപ്പററി പല നിർദ്ദേശങ്ങളും ചെയ്തു. എന്നാൽ അവർപറഞ്ഞ ഭാഗങ്ങളൊന്നും സ്പൎശിക്കാതെ അത്യാവശ്യമായി നടത്തേണ്ട ചില സംഗതികളെപ്പററിമാത്രമേ ഞാൻ പറയുന്നൊള്ളു.

എക്സൈസ് ഡിപ്പാർട്ടുമെൻറിൽ നിന്നും രണ്ടു കൊല്ലത്തേക്കാണു അബ്കാരി കുത്തക ലേലം ചെയ്തു കൊടുക്കുന്നതു്. ഇത്തവണത്തെ കൺട്രാക്ടർമാൎക്കു അബ്കാരി കുത്തകയിൽ വലിയ നഷ്ടമുണ്ടു്. എക്സൈസ് കമ്മീഷണർ അവരൊടുക്കേണ്ട പണത്തിൽ ൨൦ ശതമാനം വീതം ഇളവു ചെയ്തു കൊടുത്തു എന്ന സംഗതി സന്തോഷസമേതം അറിയിച്ചുകൊള്ളട്ടെ. എന്നാൽ ഇപ്രകാരം ചെയ്തതു കൊണ്ടുമാത്രം കൺട്രാക്ടർമാരുടെ സങ്കടത്തിനു ഒരു പരിഹാരമാവുകയില്ല.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ഇപ്രകാരം കുറവു ചെയ്തതു തിരുവിതാംകൂർ ഒട്ടുക്കോ അതല്ല മെമ്പറുടെ ഷാപ്പിനുമാത്രമോ? (ചിരി)

MR. ITTOOP ITTEECHAN (*Kunnatnad*): തിരുവിതാംകൂർ ഒട്ടുക്കു. അല്ലാതെ മെമ്പൎക്കു ഷാപ്പില്ല.

ഇപ്പോഴ് കുറച്ചു കൊടുത്തിട്ടുള്ള ൨൦ ശതമാനം ൫൦ ശതമാനമാക്കണമെന്നാണു് എന്റെ അഭിപ്രായം.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): അതുകൊണ്ടുള്ള ഗുണം ആൎക്കാണു്.

MR. ITTOOP ITTEECHAN (*Kunnatnad*): അങ്ങിനെ ചെയ്താൽ അടുത്ത കൊല്ലമെങ്കിലും അവൎക്കു നഷ്ടമില്ലാതിരിക്കും. ഗവണ്മെൻറിനും നഷ്ടമുണ്ടാവുകയില്ല.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): കള്ളുകുടിക്കുന്നവൎക്കല്ലേ ലാഭം.

MR. ITTOOP ITTEECHAN (*Kunnatnad*): അപ്പോഴ് പട്ടിണി കിടക്കാതെ ചിലൎക്കു ജീവിക്കാൻ സാധിക്കും.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): കൺട്രാക്ടരുടെ ഉടമ്പടിയനുസരിച്ചു ഗവണ്മെൻറിനു ചേരേണ്ട പണം കൊടുത്തില്ലെങ്കിൽ കൺട്രാക്ടരുടെ വസ്തുറിററു ഈടാകുകയില്ലേ?

MR. ITTOOP ITTEECHAN (*Kunnatnad*): ഈടാക്കും.

MR. P. S. MAHOMED (*Nominated*): കൺട്രാക്ടർമാക്കു ലാഭം ഉണ്ടായിരുന്നാലോ?

MR. ITTOOP ITTEECHAN (*Kunnatnad*): അപ്പോഠം ഗവമെൻറിനും ലാഭം കിട്ടുമെല്ലോ.

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): കൺട്രാക്ടരുടെ ലാഭത്തിനു തക്കവണ്ണം ആദായനികുതി ഈടാക്കുന്നില്ലേ?

MR. ITTOOP ITTEECHAN (*Kunnatnad*). ഈടാക്കുന്നുണ്ട്.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): കുറഞ്ഞ റേററിനു പത്തുമ്പായിരം ഷാപ്പുകൂടി അനുവദിച്ചാൽ ജനങ്ങഠംക്കു സഹായമായിരിക്കുമോ?

MR. ITTOOP ITTEECHAN (*Kunnatnad*): ഞാൻ അതിനെപ്പററി അന്വേഷിച്ചിട്ടില്ല.

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): കള്ളുഷാപ്പു വദ്ധിപ്പിക്കണമെന്നു മെമ്പർക്കഭിപ്രായമുണ്ടോ?

MR. ITTOOP ITTEECHAN (*Kunnatnad*): എനിക്കങ്ങിനെ അഭിപ്രായമില്ല.

MR. V. CHELLAM PILLAI (*Tovala*): ഷാപ്പു കൺട്രാക്ടർമാരിൽ നിന്നും ആദായനികുതി പിരിക്കുന്നുണ്ടോ?

MR. ITTOOP ITTEECHAN (*Kunnatnad*): ആദായം കൂടുതൽകിട്ടുന്നവരുടെ അടുക്കൽ നിന്നും ഈടാക്കുന്നുണ്ട്.

MR. V. CHELLAM PILLAI (*Tovala*): കഴിഞ്ഞകൊല്ലം അങ്ങിനെആരുടെ അടുക്കൽ നിന്നെങ്കിലും ഈടാക്കിയിട്ടുണ്ടോ?

MR. ITTOOP ITTEECHAN (*Kunnatnad*): എനിക്കറിഞ്ഞുകൂടാ.

ഭൂനികുതി സംബന്ധിച്ചും നിരോധനകരം സംബന്ധിച്ചും പണം കൊടുക്കേണ്ടതിനുള്ള കാലാവധി നീട്ടികൊടുക്കണം.

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ഈ ഇനത്തിൽ കൊടുത്തുപോയ പണത്തെപ്പററി എന്തു പറയുന്നു?

MR. ITTOOP ITTEECHAN (*Kunnatnad*): അതു തിരിച്ചു കിട്ടണമെന്നു ഞാൻ ആവശ്യപ്പെടുന്നില്ല.

ഇതുപോലെ ആദായനികുതി ഈടാക്കുന്നതിലും കാലദൈർഘ്യം കൊടുക്കണം. കഴിഞ്ഞ കൊല്ലത്തിൽ വലിയ നഷ്ടം വന്നിട്ടുണ്ട്.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): നഷ്ടമുണ്ടെങ്കിൽ ആദായനികുതി ഈടാക്കുകയില്ലല്ലോ.

MR. ITTOOP ITTEECHAN (*Kunnatnad*): ഞാൻ ആദായനികുതി കൊടുക്കേണ്ടതായി വരുന്നവരുടെ കാര്യമാണ് പറഞ്ഞത്.

പണം സമയത്തിനു കൊടുക്കാൻ നിവൃത്തിയില്ലാതെ പല വസ്തുക്കളും ലേലനടപടിയിൽ ഇരിക്കുന്നുണ്ട്. കുറെക്കാലംകൊണ്ടു പ്രതിഫലംകൊണ്ടു കുറേശ്ശെ കുറേശ്ശെ പണംവീതം കൊടുപ്പിച്ച് ഈ ലേല നടപടിയിൽനിന്നും വസ്തുക്കൾ നീക്കംചെയ്തുകൊടുക്കണം. അല്ലെങ്കിൽ വിലയേറിയ വസ്തുക്കളെല്ലാം ചുരുങ്ങിയവിലയ്ക്കു പോയേക്കും.

DEPUTY PRESIDENT: അതിനു ഗവർമ്മെൻറു എന്തുചെയ്യണം.?

MR. ITTOOP ITTEECHAN (*Kunnatnad*): ജനങ്ങൾ ഇങ്ങനെ കഷ്ടപ്പെട്ടു വലയുമ്പോൾ ഗവർമ്മെൻറിന്റെ സർവ്വശക്തികളും പ്രയോഗിച്ചു അവരെ സഹായിക്കണം.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): പല സംഗതികളും പറഞ്ഞല്ലോ. അതൊക്കെ എത്രകാലത്തേയ്ക്കു ഗവർമ്മെൻറിൽനിന്നു ചെയ്യണം?

MR. ITTOOP ITTEECHAN (*Kunnatnad*): ജനങ്ങൾ വളരെ കഷ്ടപ്പെട്ടുന്നുണ്ട്. ഈ സന്ദർഭത്തിൽ ഗവർമ്മെൻറു വേണ്ട സഹായം ചെയ്തില്ലെങ്കിൽ ഒടുവിൽ ഗവർമ്മെൻറും ജനങ്ങളും ഇല്ലാതെ ആയിത്തീരും. അതിനാൽ എത്രത്തോളം ജനങ്ങളെ രക്ഷിക്കാൻ ഗവർമ്മെൻറു വിചാരിക്കുന്നോ അത്രയുംകാലം ഗവർമ്മെൻറു വേണ്ടസഹായം ചെയ്തുകൊടുക്കണം.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): ഇനിയും എത്ര കാലത്തേയ്ക്കു ഈ കഷ്ടാവസ്ഥ ഉണ്ടായിരിക്കുമെന്നു മെമ്പർക്കു പറയാമോ?

MR. ITTOOP ITTEECHAN (*Kunnatnad*): എനിക്കറിഞ്ഞുകൂടാ.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*); എന്നാൽ അറിയാവുന്നവരെക്കൊണ്ടു പറയാൻ അനുവദിക്കാമോ?

MR. ITTOOP ITTEECHAN (*Kunnatnad*): അനുവദിക്കാം.

പണം എന്നുള്ളതു് പ്രജകൾക്കു് അടിക്കാവുന്ന ഒന്നല്ല. അതില്ലാതെ ജീവിക്കാൻ നിവൃത്തിയില്ല. P. W. D. കൺട്രാക്റ്റ് ചെറിയ അംശങ്ങളാക്കി കൂടുതൽ ജനങ്ങൾക്കു കൊടുക്കണമെന്നു പലരും പറഞ്ഞു. അതു ചെയ്യേണ്ടതാണ്. ഗവർമ്മെൻറു മരാമത്തു ജോലികൾ തുടങ്ങി കൂലിക്കാർക്കു തൊഴിൽ ഉണ്ടാക്കികൊടുക്കണം. ഇതിനുപുറമേ റായൽട്ടി ഇനത്തിൽ ഗവർമ്മെൻറിൽനിന്നും അനാവധിപണം പടികൾ

[Mr. Ittoop Itteechan.]

ക്കു കൊടുക്കാറുണ്ട്. ഈ വക പണം കഴിയുന്നതുംവേഗത്തിൽ കൊടുത്തുതീർത്താൽ ജനങ്ങൾക്കു വലിയ രക്ഷയായിരിക്കും.

ഇത്രയും പ്രസ്താവിച്ചുകൊണ്ടു ഞാൻ ഈ അടിയന്തിരപ്രമേയത്തെ പിൻതാങ്ങിക്കൊള്ളുന്നു.

MR. D. C. JOSEPH (*Agastisvaram*) : Sir, in heartily supporting the adjournment motion of Mr. T. C. Kesava Pillai I want to make a few observations on the subject. This economic distress which is an all-Travancore problem is assuming alarming magnitude. So, it is the duty of those who are responsible for the safety and interest of the population to devise means and to adopt proper measures to alleviate the distress caused by such a problem. Though it has affected the whole of Travancore, it has particularly affected South Travancore, especially Nanjanad. The major portion of the population there are agriculturists.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : May I know whether he has thought about the various causes which led to the present economic depression ?

MR. D. C. JOSEPH (*Agastisvaram*) : That is a world question and it has affected Travancore also. There are so many causes. I am unable to mention them at present.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : What are the special features which affected Travancore adversely ?

MR. D. C. JOSEPH (*Agastisvaram*) : Fall in prices of copra, pepper, rubber and other articles.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : May I know whether there is over-production in Travancore ?

MR. D. C. JOSEPH (*Agastisvaram*) : Not at all. We are importing paddy worth more than two crores of rupees. That shows that there is no over-production.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : May I know whether we are producing more cocoanuts now than in years past ?

MR. D. C. JOSEPH (*Agastisvaram*) : No, not over-producing. It is only the tariff value that affects cocoanut trade.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : May I know whether there was famine here in Travancore in recent years ?

MR. D. C. JOSEPH (*Agastisvaram*) : There was famine.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : What was the nature of the famine here ?

MR. D. C. JOSEPH (*Agastisvaram*) : The market value of food stuffs and other articles was high.

Sir, if I am interrupted like this I cannot proceed.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : I want to elicit information. I have asked questions to several members. But I have not been able to get anything.

May I know whether there is poverty or plenty in Travancore?

MR. D. C. JOSEPH (*Agastisvaram*) : Poverty.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : May I know whether if there is plenty of food stuffs, where all the money is locked up?

MR. D. C. JOSEPH (*Agastisvaram*) : In the hands of money lenders and in Banks.

There are about 48 thousand acres in Nanjanad. Agriculture is the chief occupation in Nanjanad and according to the words of Mr. Vaidyalingom Pillai as President of the Banking Enquiry Committee the average debt of a family in Nanjanad is Rs. 304 and similar statements according to the situation prevailing elsewhere. This shows that economically people are very poor in Nanjanad and the price of paddy has gone down terribly.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : May I know when this average debt of the agriculturists of Nanjanad was ascertained? Was it when there was depression of trade?

MR. D. C. JOSEPH (*Agastisvaram*) : The information is given in the report. That is all I know.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : My question is whether the average debt represents the accumulation of the past years or whether it represents the debt due to the present depression of trade?

MR. D. C. JOSEPH (*Agastisvaram*) : I cannot say that. The information is in the report.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : Is the depression due to locking up of money in foreign countries?

MR. D. C. JOSEPH (*Agastisvaram*) ; I cannot say. I do not think. Owing to the fall in the price of paddy, it has become almost impossible to carry on paddy cultivation.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) : May I know why the price of paddy is falling?

MR. D. C. JOSEPH (*Agastisvaram*) : There is no money in the market. Now paddy is imported from foreign countries. That is the chief cause for the fall in the price of paddy—paddy being dumped into our market.

DEPUTY PRESIDENT : If there is loss of paddy in the country the price ought to go up.

MR. D. C. JOSEPH (*Agastisvaram*) : We are not able to produce for local demand. We are importing from outside.

DEPUTY PRESIDENT : Then the price ought to go up instead of coming down.

MR. V. CHELLAM PILLAI (*Tovala*) : നെല്ലിന് മുമ്പിരുന്ന വിലയിൽ നിന്നും ഇപ്പോൾ കൂടുതലൊ കുറവൊ?

MR. D. C. JOSEPH (*Agastisvaram*) : ഇപ്പോൾ നെല്ലിന് വളരെ വിലകുറവാണ്.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Does the member want price of foreign paddy to increase or decrease?

MR. D. C. JOSEPH (*Agastisvaram*): I do not say that.

In Nanjanad paddy is sold at 5 rupees per kotta. Now owing to so many reasons the ryots there are not able to get proper yield from the field. They get only 7 or 8 kottas per acre.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether the yield was low in the whole of Travancore during the last harvest?

MR. D. C. JOSEPH (*Agastisvaram*): But in Nanjanad it was very poor. They got only 40 rupees per acre. We are heavily taxed. We have to pay 25 rupees per acre to Government. The balance is only 15 rupees and with that we are unable to do any cultivation on one acre of land.

MR. V. CHELLAM PILLAI (*Tovala*): ഒരേക്കർ സ്ഥലം കൃഷി ചെയ്യുന്നതിന് എത്ര രൂപാ ചിലവാക്കണം?

MR. D. C. JOSEPH (*Agastiscaram*): Approximately between 60 and 70 rupees per acre. Now according to the present rate the yield comes to only 40 rupees. At this rate all the agriculturists in Nanjanad will have to give up cultivation.

DEPUTY PRESIDENT: Suppose we go back to the days when tax was paid in kind. Do you think that would be better?

MR. D. C. JOSEPH (*Agastisvaram*): I do not think that would help to reduce our distress. We have no money. This is the situation there.

There is another disadvantage also in regard to Nagercoil. There are too many buses there. Between 2 to 3 thousand rupees is being drained out of towns every day by way of motor accessories and petrol. This is another drain which has greatly affected the people.

DEPUTY PRESIDENT: Do you want the Government to stop it?

MR. D. C. JOSEPH (*Agastisvaram*): What I say is that licenses and permits are now being given to too many cars. For instance on the main road there are between 80 to 100 cars running. There is a regular struggle for existence.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Has it not lessened the fares?

MR. D. C. JOSEPH (*Agastisvaram*): But it has materially affected the people.

MR. V. CHELLAM PILLAI (*Tovala*): Which people?

MR. D. C. JOSEPH (*Agastisvaram*): The agriculturists.

MR. L. A. BISHOP (*Commissioner of Police*): How does it affect the agriculturists?

MR. D. C. JOSEPH (*Agastisvaram*): Every day-labourer who is not able to get 4 chs. a day wants to get into a bus to go to the field He wants money for his luxury also and more is demanded from the agriculturist who is already unable to get any profit from the land. It is a real temptation. In that way the general population is affected. The department has granted too many licenses in places like Nagercoil.

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*) : Is not competition advantageous to the public ?

MR. D. C. JOSEPH (*Agastisvaram*) : But it is ruinous now. There must be healthy competition.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Do not more people get work on account of the increase in the number of cars ?

MR. D. C. JOSEPH (*Agastisvaram*) ; Only few people. That would not help the present condition.

MR. A. THANU PILLAI (*Trivandrum*) : Sir, may I suggest that the rule of time limit be observed ? We wish to know whether the official side has anything to say.?

DEPUTY PRESIDENT : Official side has plenty to say and even before you suggested I began to observe the time limit. I want Government members to reply and I am preserving time for it.

MR. D. C. JOSEPH (*Agastisvaram*) : The Industrial Department, Co-operative Department and other departments of Government must come to the rescue of the people.

DEPUTY PRESIDENT : You want Government experts to devise ways and means to alleviate your distress ?

MR. D. C. JOSEPH (*Agastisvaram*) : With regard to Agastisvaram I want to say a word. We are now spending 16 lakhs of rupees for producing one lakh worth of salt. The situation is very serious as far as salt manufactures of Agastisvaram are concerned. Government must help them as much as possible. With these words I strongly support the motion of Mr. T. C. Kesava Pillai.

MR. K. GEORGE (*Chief Secretary to Government*) : Sir, the vehemence of the speeches made in this House to-day would convince even the most hard hearted Government that there is economic depression in the country to-day. But none of us need be reminded of the fact of the existence of economic depression now. We see it all around us. We read of it almost daily in the newspapers. So, Government are as much aware as the members here of the existence of economic depression in Travancore to-day. This however is not a condition peculiar to Travancore. We all know that the depression is universal. Now we are not in a position, even the economic experts are not in a position, to exactly understand the causes which have brought about the present state of affairs. Various opinions are given. Various theories are propounded. But no one is able to say with certainty what is the exact cause of the trouble which is affecting the world to-day. The position is this. We in Travancore as elsewhere in India and other parts of the world do not get sufficient value for our produce. That is because those who consume our articles are not in a position to pay for those articles the prices which they used to pay and that is because there is a loss of buying power in those countries. Now a deduction from that can be made. No action of ours alone could restore to us the conditions which prevailed in this country in the days when our commodities fetched attractive and remunerative prices. Conditions in the world generally have to change.

[Mr. K. George.]

Now, Sir, a great deal of heat was generated here on the question of the delay on the part of the Government.................................

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): The fire engine is near by.

MR. K. GEORGE (*Chief Secretary to Government*): The charge has been levelled against Government that they have been unmindful and indifferent to the conditions of the ryots of Travancore. My first duty is to disabuse the House of that charge. Sir, the decline in prices of our articles is recent. The prices no doubt have been falling for some time, but it is only recently that the decline became marked. The fall was noticed by Government and even before anybody began to agitate about their difficulties Government were mindful of the conditions of the people. The Dewan in his opening Address to the Assembly made distinct reference to it. He pointed out how the prices have been declining and how people are put to great difficulties on account of that. That was early in March. In his address he promised to do two things. One of them was that he would grant an additional allotment to be distributed to the poor agriculturists in the shape of agricultural loans. That was on the 2nd March 1931, and Government have already issued the necessary orders in this matter to the Head of the Revenue Department. Government have in the Budget of 1106 provided 2 lakhs of rupees for agricultural loans. They have now given in addition a lakh and a half with instructions that rupees one lakh out of it should be earmarked for distribution of loans to the poor agriculturists, the amount of each loan not to exceed rupees 200. That is intended for the poorman alone.

MR. MATTHEW MURIKKAN (*Vaikam*): May I know whether that amount is to be distributed without any security whatsover?

MR. K. GEORGE (*Chief Secretary to Government*); The law does not allow us to give loans without security.

MR. MATTHEW MURIKKAN (*Vaikam*): Then the Government cannot help the poor people.

MR. K. GEORGE (*Chief Secretary to Government*): It is for agricultural purposes that this is given. Does the House say that Government should pay over the taxpayers' money to particular individuals without any security? I believe the House will not accept such a proposition.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): May I know the amount of money that has actually been distributed out of this allotment till this day?

MR. K. GEORGE (*Chief Secretary to Government*): There has already a provision of 2 lakhs. I believe the whole of that has been exhausted.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Will not Government be satisfied with the surety instead of immovable property security?

MR. K. GEORGE (*Chief Secretary to Government*): That will depend upon the provisions of the Regulation.

DEPUTY PRESIDENT: It is regulated by the Statute of loan.

MR. V. CHELLAM PILLAI (*Tovala*) : കൃഷിക്കാരായ ഞങ്ങൾ കൃഷിചെയ്തുണ്ടാക്കുന്ന സാമാനങ്ങൾക്കു നല്ല വിലകിട്ടുന്നില്ലാത്തതുകൊണ്ടു ഞങ്ങൾ കഷ്ടപ്പെടുന്നു എന്നല്ലെ പറയുന്നതു്. അങ്ങിനെയിരിക്കുമ്പോൾ പണം കടംകൊടുത്തിട്ടു എന്താവശ്യമാണ് ഉള്ളതു്?

MR. K. GEORGE (*Chief Secretary to Government*): The poor agriculturists have various needs ; and their products do not sell.

MR. V. CHELLAM PILLAI (*Tovala*) : പണം കിട്ടിയാലും ഉണ്ടാകുന്ന സാമാനങ്ങൾക്കു് വില കിട്ടാതെയിരുന്നാൽ എന്തുചെയ്യും?

MR. K. GEORGE (*Chief Secretary to Government*): The only thing they now lack is money. They have everything else. They have grain ; other articles are cheap. So if they get money, it is sure to relieve the strain considerably.

MR. V. CHELLAM PILLAI (*Tovala*) : ഇപ്പോഴും നിലം വിതയ്ക്കുന്നുണ്ടു്. അതു് വിളയുന്നുമുണ്ടു്.

MR. K. GEORGE (*Chief Secretary to Government*): The agriculturists must somehow live on ; and for that they want money. In order to eke out their livelihood they must have some work to do. Mostly, the poor people work on land ; and, for that they require seed, manure, implements. All these, could be procured only if they have money. And, further the present extreme difficulty is not going to continue for ever. If the poor agriculturists are somehow helped now to tide over this critical period, they would be in a position to manage for themselves. So, even the smallest amount that they are able to get in cash now is sure to be of immense use to them.

MR. V. CHELLAM PILLAI (*Tovala*) : കൂടുതൽ വളം വാങ്ങിച്ചു് ഉപയോഗിച്ചാൽ എന്തു പ്രയോജനം?

MR. K. GEORGE (*Chief Secretary to Government*): I cannot go into that question in detail just at present. My point is that the charge of delay on the part of Government does not exist. Government have already issued orders———--

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*) : ആളൊന്നിനു് ൨൦൦ രൂപാവീതം കൊടുത്താൽ ഒരുലക്ഷംരൂപാ എത്രപേൎക്കു കൊടുക്കാൻ സാധിക്കും?

MR. K. GEORGE (*Chief Secretary to Government*) : It is easy for the member himself to divide 1,00,000 by 200 and find out how many would be able to benefit by the grant.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*) : തിരുവിതാംകൂറിലെ ൫൦൦൦ പേൎക്കു് രക്ഷയുണ്ടായിക്കഴിഞ്ഞാൽ മറ്റെല്ലാപേൎക്കും രക്ഷയുണ്ടായി എന്നു വിചാരിക്കാമൊ?

MR. K. GEORGE (*Chief Secretary to Government*): ൨൦൦ രൂപാ എന്നു പറഞ്ഞിരിക്കുന്നതു് കൊടുക്കാമെന്നുദ്ദേശിക്കുന്ന തുകയുടെ ഏറ്റവും കൂടിയ സംഖ്യയാണു്. അതിൽ കുറച്ചുംകൊടുക്കാം.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ൨൦൦ രൂപായിൽ കൂടാതെയുള്ള തുക സാധുക്കൾക്കു് കൊടുക്കണമെന്നാണൊ ഉദ്ദേശിക്കുന്നതു്?

MR. K. GEORGE (*Chief Secretary to Government*): A sum of Rs. 50,000 has also been allotted as extra grant to supplement the original two lakhs allotted for ordinary agricultural loans.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether any concessional terms have been offered in regard to the repayment of the loans now given?

MR. K. GEORGE (*Chief Secretary to Government*): The terms of repayment are easy and convenient, I think, under the Regulation itself. That is a matter which is guided solely by the Regulation.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): പണം തിരിയെകൊടുക്കുമ്പോൾ അവക്ക് എന്തെങ്കിലും കൺസെഷൻ കൊടുത്തിട്ടുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): If members would kindly permit me to proceed I shall speak on that point also.

So, one of the promises that the Dewan made during the last session of the Assembly has already been fulfilled.

The other promise that he made was the appointment of a committee to enquire into and report on the conditions prevailing in the country to-day.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): If the causes of the present situation are unknown even to the greatest experts in the world and if even such experts are not able to lay there fingers on the real causes, what is the use of appointing a committee?

MR. K. GEORGE (*Chief Secretary to Government*): I did not say that even experts could not suggest *remedies*. It is only the real *cause* that is not known. Many *can* suggest remedies. Even to-day, in this House, many remedies *have been* suggested. I admit that it may not be possible, even by following the advice of the greatest experts, to restore, *finally and completely*, the old condition of things. But, certainly, the situation can be *improved*.

I was submitting, Sir, that the second measure in this direction was the appointment of a committee to enquire into and report on the situation in the country. The G. O. on that is on the verge of issue It may not take more than two weeks at the most. Government have been considering the terms of reference to the Committee, and the personnel. The G. O. is now ready; and I hope Government would be in a position to publish it shortly. Government, therefore, have not been unmindful of the situation and its seriousness.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Are these the only two steps taken by Government?

MR. K. GEORGE (*Chief Secretary to Government*): These are the two immediate steps which the Dewan promised.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): The Dewan had stated in the Assembly that Government were prepared to resort to other measures also for remedying the present distress. That is what he said in reply to a representation in the Assembly. May I know whether Government have taken any other step in this direction?

MR. K. GEORGE (*Chief Secretary to Government*): I cannot say that Government have actually taken any other step in this direction. Government have received certain representations from the public and are anxiously examining the suggestions contained therein.

I shall now refer to a memorial, a representation, that was made to the Dewan by certain members of the Assembly.

The memorialists brought to the notice of Government the existence of depressed economic conditions and made certain suggestions for remedying the same. I may briefly refer to what those suggestions are. No doubt many suggestions were made there.

The memorial was presented to Government on the 11th March. One of the several suggestions that were made is that there should be a remission of land tax. That is a suggestion which, if adopted, will give immediate relief, according to the memorialists' view, because a permanent and ultimate relief is not possible for the Government to arrange for.

Another suggestion that was made was, that the tariff values fixed for the local articles on which export duty is levied should be lowered. A third suggestion was that Government should spend more money on public works.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know from the learned Chief Secretary whether the Government have considered any of these proposals and come to the conclusion with reference to any one of them?

MR. K. GEORGE (*Chief Secretary to Government*): They are being considered.

Another suggestion was, the establishment of a Land Mortgage Bank. The next one was that the Kudivila payable on Royal trees should be paid, and, the memorialists concluded by saying that if those suggestions were carried out, that would afford immediate relief to the people.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): Is the Chief Secretary aware that recently the Cochin Government have reduced the expenditure on Public Works?

MR. K. GEORGE (*Chief Secretary to Government*): I am not aware.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is there any basis for the information that the Government have issued a circular to the Chief Engineer not to carry out certain items in the Budget for 1106 sanctioned by the Council?

MR. K. GEORGE (*Chief Secretary to Government*): Government fear that they are going to face a serious deficit. In view of that, they have asked the Chief Engineer to reduce the expenditure as far as possible.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Have they asked the Chief Engineer not to begin works?

MR. K. GEORGE (*Chief Secretary to Government*): Not to take up works for which his department has not got an estimate this year. That is mostly due to the fact that Budget provision is made in advance of estimates. Most of the works on which he says he is not going to spend this year are works for which estimates have not been prepared.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Probably this gave a handle to the Chief Engineer not to promptly carry out the works.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): Is it a fact that in the Shencotta Division alone they have saved Rs. 20,000 on public works?

MR. K. GEORGE (*Chief Secretary to Government*): I have not got the materials to answer that.

Sir, having disposed of the charge of delay on the part of Government—

MR. A. THANU PILLAI (*Trivandrum*): May I know when the Government were made aware that the situation was so serious as to demand action by them?

MR. K. GEORGE (*Chief Secretary to Government*): A short while ago. A few months ago.

MR. A. THANU PILLAI (*Trivandrum*): What month?

MR. K. GEORGE (*Chief Secretary to Government*): I cannot just now give the month.

MR. A. THANU PILLAI (*Trivandrum*): Was the Chief Secretary convinced that there was no dilatoriness on the part of Government? I want to know when the situation was brought to their notice?

MR. K. GEORGE (*Chief Secretary to Government*): I mentioned that a few minutes ago; the chief decline in prices of the ordinary commodities took place only a few months ago.

MR. A. THANU PILLAI (*Trivandrum*): A few months ago is a vague term. Is it five months?

MR. K. GEORGE (*Chief Secretary to Government*): It came prominently to their notice in Dhanu 1106.

MR. A. THANU PILLAI (*Trivandrum*): My question is a specific one. When did the Government become aware that the situation was so serious as to demand their action?

The only question is about dilatoriness.

DEPUTY PRESIDENT: Your question is clear. Probably the answer cannot be given in the form of Dhanu or Makaram or Kumbhom or Vrischikam.

MR. K. GEORGE (*Chief Secretary to Government*): The condition was a progressively declining one. The prices are fluctuating.

MR. A. THANU PILLAI (*Trivandrum*): May I know when the Government decided for action with regard to this matter?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): I rise to a point of order. It is not relevant to the issue.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Does the learned Chief Secretary agree with the statement of Mr. Paramesvaran Pillai yesterday that this economic depression was existing for the last 18 months.

MR. K. GEORGE (*Chief Secretary to Government*): The economic depression has been a progressively declining one.

DEPUTY PRESIDENT: What the Chief Secretary is now referring to is the decline for some time?

MR. A. THANU PILLAI (*Trivandrum*): May I know when they decided to take action in regard to this matter? Will he at least give the month on which the Government decided to take action?

MR. K. GEORGE (*Chief Secretary to Government*): In the case of this economic depression the natural tendency has been to decline for some time. It is not the first time that economic depression came into Travancore, The expectation was that things would get right soon.

MR. A. THANU PILLAI (*Trivandrum*): Government decided to take action at a particular time. The Huzur Office must have passed some orders on a particular date. I wish to know the date?

MR. K. GEORGE (*Chief Secretary to Government*): It might be just before the commencement of the Assembly.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): What about the suggestion for appointing a trade agent?

DEPUTY PRESIDENT: That is one of the several suggestions made. Mr. George, you can talk for another minute.

MR. K. GEORGE (*Chief Secretary to Government*): Sir, I was speaking about the various suggestions made in the representations made to the Dewan.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): May I request that some more time may be given?

DEPUTY PRESIDENT: That is not in my power.

MR. K. GEORGE (*Chief Secretary to Government*): Various suggestions were made for remedying the present situation. Some of them are really very useful. As for instance, the suggestion about the land mortgage bank and the suggestion about the appointment of trade agents are all very important and deserve the very earnest and anxious consideration of Government. But my fear is only this. In a matter like this, they are not of immediate help. For instance, the establishment of a land mortgage bank is not a matter of a day.

DEPUTY PRESIDENT: Your time is up. The motion lapses. If the law vested any power in me I would have extended the time. But unfortunately it does not. The rule says " if not earlier concluded, shall automatically terminate at 5-30 P. M. and thereafter no question can be put. "

We will now rise and meet again on Saturday morning at 11-30.

The Council adjourned at 5-31 P. M.

C. O. MADHAVAN,
Secretary to the Legislative Council.

TRAVANCORE LEGISLATIVE COUNCIL.

THIRD COUNCIL.

FIRST SESSION OF 1106.

(*OFFICIAL REPORT*)

Saturday, the 18th April 1931/5th Medam 1106.

The Council re-assembled at the Victoria Jubilee Town Hall at Eleven-thirty of the Clock, the Deputy President Presiding.

All the members except Mr. H. B. Mahomed Rowther were present.

QUESTIONS AND ANSWERS.

Appointment of nurses for the Lalam District Hospital.

129. **MR. A. C. KURIAKOSE** (*Minachil cum Devicolam*): Will the Government be pleased to state:

(*a*) whether any persons have been appointed for nursing the in-patients of the Lalam District Hospital;

(*b*) if not, who nurses the in-patients of this hospital now (25-11-1105);

(*c*) whether there has been a representation in the Sri Mulam Popular Assembly for the appointment of two nurses in this hospital;

(*d*) if so, when it was made and what was the reply given to it;

(*e*) whether this subject was discussed at the meetings of the Legislative Council; and

(*f*) if so, when it was discussed and the reply given to it?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (*a*) Yes. Warders do nursing work in the hospital under the guidance and supervision of the Medical Officer in charge and the Assistant.

(*b*) In view of the answer to part (*a*), this does not arise.

(*c*) Yes.

(*d*) In the 23rd and 24th sessions of the Sri Mulam Popular Assembly. The reply given was that the question of appointing a lady doctor and nurses will be considered when more hands become available.

(*e*) Yes.

(*f*) The member is referred to page 1017 of the printed Council Proceedings of the meeting held on the 15th August 1930—Vol. XVII, No. 10.

G. P. T. 2357. 300. 8-12-1106.

Select Committee for amendment to Standing Order No. 56 of the Legislative Council.

130. **MR. A. C. KURIAKOSE** (*Minachil* cum *Devicolam*): Will the Government be pleased to state:

(*a*) the date on which the Council accepted for consideration Mr. A. S. Damodaran Asan's amendment to Standing Order No. 56 of the Legislative Council;

(*b*) when a Select Committee was appointed to consider and report on the said amendment;

(*c*) the names of the official and non-official members appointed to serve on this Committee;

(*d*) the time limit allowed for this Committee to submit their report;

(*e*) whether the said Committee submitted the report within that time limit;

(*f*) if not, the reason for the same;

(*g*) the date on which the Select Committee met for the consideration of the said Standing Order;

(*h*) whether all the members who were first elected as members of the Committee were present in that meeting;

(*i*) if not, the reasons for the same;

(*j*) whether some members who were not first selected were present in that Committee meeting;

(*k*) if so, the reason for the same and the names of those members;

(*l*) the nature of the action to be taken for obtaining extension of time for submitting the report by a Select Committee, if they are not able to submit the same within the time allowed;

(*m*) whether any similar action was taken in respect of this Select Committee;

(*n*) if so, the nature of the action taken; and

(*o*) if not, the reason for the same?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (*a*) 15th August 1929.

(*b*) 15th August 1929.

(*c*) *Non-official Members.*

Messrs. 1. K. A. Krishna Aiyangar.
2. A. S. Damodaran Asan.
3. H. B. Mahomed Rowther.
4. V. J. Oommen.
5. K. N. Kesavan Namputiripad.

Official Members.

Messrs. 1. K. George.
2. S. Venkataramana Aiyar.
3. Kayalam Paramesvaran Pillai, *ex-offico* member, being the Law Member.
4. T. P. Ramasubba Aiyar, *ex-offico* member being Secretary to the Legislative Council.

(*d*) Three months.

(*e*) No.

(*f*) The Committee was not able to meet within the period fixed for the submission of the report.

(*g*) 7th Edavam 1105/20th May 1930.

(*h*) No.

(*i*) Messrs. K. George and S. Venkataramana Aiyar ceased to be members of the Select Committee as they had tendered the resignation of their membership on the Legislative Council. The former had gone on leave and the latter had retired from the service.

(*j*) Yes.

(*k*) Mr. P. N. Krishna Pillai, who was *ex-officio* member of the Committee as he was Secretary to the Legislative Council, and Mr. C. S. Krishnaswamy Aiyar, who was selected to serve on the committee in the place of Mr. S. Venkataramana Aiyar, at the meeting of the Council held on the 17th May 1930.

(*l*) The member is referred to Standing Order No. 34(3) of the Legislative Council Standing Orders.

(*m*) Yes.

(*n*) Extension of time was applied for by the Chairman of the Committee and it was granted.

(*o*) In view of the answers to parts (*m*) and (*n*) above, this question does not arise.

Appointments made by the District Judges and Munsiffs during 1104-1105.

131. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to lay on the table a statement, by caste, of appointments made by the presiding officer of each of the District Judges' and Munsiffs' Courts during 1104 and 1105?

MR. K. GEORGE (*Chief Secretary to Government*): Two statements*, one showing the appointments made by the District Judges and the other by the District Munsiffs, are laid on the table.

Statement, by caste, of the clerks of the District Court, Parur.

132. **MR. TARIATU KUNJITOMMAN** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to lay on the table a statement, by caste, of the clerks of the District Court, Parur?

MR. K. GEORGE (*Chief Secretary to Government*): The required statement† is laid on the table.

The Victoria Jubilee Town Hall.

133. **MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): Will the Government be pleased to state:

(*a*) whether the Secretary of the Victoria Jubilee Town Hall Committee received an application from the President of the Gandhi

* *Vide* Appendices XX A and XX B pages 593 to 596.

† *Vide* Appendix XXI—page 597.

[Mr. A. S. Damodaran Asan.]

Birthday Celebration Committee for renting the Hall for a public meeting to be held in the afternoon of the 16th Kanni 1106; and

(*b*) if the answer to part (*a*) is in the affirmative, the reasons for not renting the Hall for the purpose?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes.

(*b*) The Committee of Management have the discretion to refuse any application for the use of the Hall without assigning any reason, and they refused the application in question in the exercise of their discretion.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): With regard to the answer to part (*b*), may I know the matters that are to be taken into consideration in exercising the discretion referred to there?

MR. K. GEORGE (*Chief Secretary to Government*): The Committee shall always have the power to refuse any application without assigning any reason if the Committee is of opinion that the purpose for which the Hall is required is illegal, immoral or is opposed to public policy or is likely to endanger public tranquility.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Under which item did the Committee exercise its discretion in refusing it?

MR. K. GEORGE (*Chief Secretary to Government*): Opposed to public policy.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know what that public policy was in rejecting this Hall?

MR. K. GEORGE (*Chief Secretary to Government*): The Hall was required for celebrating Mr. Gandhi's birthday and the Committee considered that it was not expedient to give it at the time, because the political situation was of a special character.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*); May I know whether this Hall was rented for celebrating the 59th birthday of Mahatma Gandhi?

MR. K. GEORGE (*Chief Secretary to Government*): Might have been. The situation was different then.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What was the difference?

MR. K. GEORGE (*Chief Secretary to Government*): At the time the application was made, Mr. Gandhi was heading an illegal movement and was incarcerated in Jail. That was the reason.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): So, the fact that he was in Jail was the ground on which —

DEPUTY PRESIDENT: No, that was not the answer. He was heading a movement which was illegal and opposed to public policy and the Managing Committee felt that it was undesirable to give the permission

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): A prisoner in Jail could not be said to be leading a movement?

DEPUTY PRESIDENT: That is an argument. He has given you an answer. Their conclusions may be correct or may be wrong. He has given you an answer.

Automatic Electric Traffic Signals.

134. **MR. S. PIRAVIPERUMAL PILLAI** (*Commerce and Industry, South*): With reference to the answer to question No. 89, asked at the meeting of the Legislative Council held on the 6th August 1929 (Vol. XV of the Legislative Council Proceedings, page 144), *re* automatic electric traffic signals, will the Government be pleased to state:

(*a*) whether the experiment was successful;

(*b*) whether the same has been put into practice; and

(*c*) if the answer to part (*b*) is in the affirmative, whether it can be introduced here also?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Various systems are still under experiment.

(*b*) Yes.

(*c*) There is no necessity as yet.

Construction of Tube Wells in South Travancore.

135. **MR. D. C. JOSEPH** (*Agastisvaram*): Will the Government be pleased to state the number of tube wells successfully constructed in South Travancore up to 1st Tulam 1106 and the total amount sanctioned and spent for them?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (1) One tube well in the Executive Engineer's Bungalow, Nagercoil. Information about the exact expenditure is not available, it being an old work.

(2) One tube well in Suchindram Car Street. There was no estimate. Expenditure Rs. 1,188.

MR. D. C. JOSEPH (*Agastisvaram*): Will the member be pleased to state what was the amount sanctioned for sinking tube wells in South Travancore?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Ten wells were proposed to be sunk. The estimate was sanctioned for all these wells together.

MR. D. C. JOSEPH (*Agastisvaram*): Was any amount sanctioned for sinking wells in South Travancore?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): I claim notice.

MR. D. C. JOSEPH (*Agastisvaram*): May I know whether any amount was budgetted for sinking wells in South Travancore?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): I claim notice.

MR. D. C. JOSEPH (*Agastisvaram*): May I know from the member the object with which that amount was budgetted for? Was it for any particular class of people or for any particular year when there was water scarcity?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): The wells were not earmarked for any particular community. They were meant for the locality.

MR. D. C. JOSEPH (*Agastisvaram*): With reference to the answer contained in part (1) will the member be pleased to state why the tube well was sunk in the Executive Engineer's bungalow at Nagercoil?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): That was done sixteen or seventeen years ago.

MR. D. C. JOSEPH (*Agastisvaram*): Why was that done?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): That is a work executed sixteen or seventeen years ago. The information about that is not available now.

MR. D. C. JOSEPH (*Agastisvaram*): May I know whether that well was sunk with the object of demonstration or for the use of public?

DEPUTY PRESIDENT: That well was sunk sixteen years ago. The Executive Engineer's bungalow is a residential quarter and naturally a well was sunk. Government servants too must drink water.

MR. D. C. JOSEPH (*Agastisvaram*): May I know why tube wells were not sunk in Muttom and other places?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): That information is not available.

MR. D. C. JOSEPH (*Agastisvaram*): May I know from the member whether any attempt was made by the P. W. D. to sink wells in places like Muttom, Puthallam and the amount spent on experimental work?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): So far as the amount is concerned I have answered. The P. W. D. attempted to sink some more wells which were not found practicable to bring to a successful termination.

MR. D. C. JOSEPH (*Agastisvaram*): May I know the amount spent for the experimental work?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): I shall give a few details. One well for the Military Detachment at Suchindram was attempted to be sunk and an amount of Rs. 427, chackrams 21, cash 9 was spent on it. But it could not be brought to a successful termination. Another well at Kottar was taken up, but further boring was found to be impracticable. A third well near the Suchindram car street was also partly done, but it had to be stopped, as the boring was found to be difficult on account of rocky sub-soil.

MR. D. C. JOSEPH (*Agastisvaram*): Was any attempt made at Muttom and Puthallam?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Attempts were made only in the three places mentioned by me. No other attempt was made. There is no record to show whether any attempt was made anywhere else.

MR. D. C. JOSEPH (*Agastisvaram*): May I know whether any attempt was made at Muttom?

DEPUTY PRESIDENT: The member has answered that from the papers in his hands that he is not able to give a reply.

MR. D. C. JOSEPH (*Agastisvaram*): The Department has spent a lot of money and the member says that there is no record.

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Just now no record is available. If the member is particular I will call for the records.

DEPUTY PRESIDENT: If you give a specific interpellation on that question, you will get answer.

MR. D. C. JOSEPH (*Agastisvaram*): My interpellation is whether any well was successfully sunk?

DEPUTY PRESIDENT: That has been answered.

MR. D. C. JOSEPH (*Agastisvaram*): From the answer of the member I understand that one well was attempted in the caste village at Suchindram and it was not a success. That is what I understood from the reply of the member. But in the printed answer it is given as Suchindram car street and the expenditure is Rs. 1,188. My question is what is the number of tube wells successfully carried out in South Travancore?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): Two wells were attempted at Suchindram, one was successful and the other was unsuccessful.

Appointments made in the Co-operative Department.

136. **MR. P. S. MAHOMED** (*Nominated*): Will the Government be pleased to lay on the table a statement showing:

(*a*) the number of appointments made in the Co-operative Department during the period between 1-12-1103 and 15-4-1106 by them and the Registrar of Co-operative Societies (separately);

(*b*) the number of Muslims who were appointed by them and that appointed by the Registrar during the period; and

(*c*) the number of Muslims who applied to them and the number of Muslims who applied to the Registrar during the period?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) and (*b*) The statements* required by the member are laid on the table.

(*c*) The numbers are 5 and 6 respectively.

Pay of Koran teachers.

137. **MR. P. S. MAHOMED** (*Nominated*): Are the Government aware:

(*a*) that there is a general dissatisfaction in the Muslim community that the claims of Koran teachers in the matter of their allowance or pay have been ignored; and

* *Vide* Appendix XXII—Page 598.

[Mr. P. S. Mahomed.]

(*b*) that the Koran teachers are placed in a disadvantageous position owing to the fact that they could not attend to any other work during school hours?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) There were certain petitions representing, among other things, the case of the Koran teachers for betterment of their position and pay.

(*b*) Government are not aware. There are no orders to the effect that Koran teachers should not attend to any other work when they are not engaged in school work.

MR. P. S. MAHOMED (*Nominated*) : കൊറാൻ ടീച്ചേർസ് സ്കൂൾസംബന്ധമായ ജോലിചെയ്യുന്നതുനിമിത്തം മററു ജോലികൾ ചെയ്യുന്നതിനു സൗകര്യമില്ലാതെ വരുന്നു എന്നു് അറിയാമോ?

MR. K. GEORGE (*Chief Secretary to Government*) : മററു ജോലികൾ ചെയ്യുന്നതിനു് അവർക്കു് സൗകര്യം ഇല്ലാതിരിക്കാൻ കാരണമില്ല. സ്കൂൾസമയത്തല്ലാ കൊറാൻ പഠിപ്പിക്കുന്നതു്.

MR. P. S. MAHOMED (*Nominated*) : ആ രീതിക്കു് ജോലിചെയ്യുന്നതായാൽ പതിനൊന്നും പന്ത്രണ്ടും മണിക്കു് ജോലികൊടുക്കുവാൻ ആളുണ്ടായിരിക്കുമോ?

MR. K. GEORGE (*Chief Secretary to Government*) : അങ്ങിനെയുള്ള സമയത്തു് ജോലി കൊടുക്കുന്നവരും കാണും.

MR. P. S. MAHOMED (*Nominated*) : അങ്ങിനെയുള്ള സമയത്തു് ജോലി കൊടുക്കുവാൻ ആളുണ്ടോ എന്നന്വേഷിച്ചിട്ടുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*) : അതിനെക്കുറിച്ചു അന്വേഷണം നടത്തിയിട്ടില്ല.

Restoration of the A. V. M. canal.

138. **MR. T. C. KESAVA PILLAI** (*Kalkulam* cum *Vilavankod*) : Will the Government be pleased to state:

(*a*) whether there is a recommendation of the Development Board for the restoration of the A. V. M. canal;

(*b*) if the answer to part (*a*) is in the affirmative, the total length of the canal to be restored and the total length navigable;

(*c*) the total amount of maintenance for such navigable length and the actual amount of maintenance expended for the last six years (1100-1105); and

(*d*) whether soundings have been taken in the said A. V. M. canal?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*):

(*a*) No.

(*b*) This does not arise in view of answer to part (*a*).

(*c*)

Year.		*Grant.*	*Expenditure.*
1100	...	Rs. 880	Rs. 586
1101	...	„ 880	„ 861
1102	...	„ 880	„ 682
1103	...	„ 880	„ 617
1104	...	„ 880	„ 741
1105	...	„ 880	„ 910

(*d*) Yes. Soundings are taken before deepening is done.

Elementary Tamil Education in Trivandrum town.

139. **MR. S. PIRAVIPERUMAL PILLAI** (*Commerce and Industry, South*): With reference to the answer to part (*a*) of Question No. 300, asked at the meeting of the Council, held on the 17th May 1930 (Volume XVI of Council Proceedings, page 791), regarding Elementary Tamil Education in the Trivandrum town, *viz.*, "the existing facilities admit of improvement," will the Government be pleased to state:

(*a*) what exactly the "the existing facilities" are; and

(*b*) with reference to the answer given to part (*b*) of the question, at what stage the matter is at present (10-4-1106)?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) There is an aided Tamil Primary School in Chalai *viz.*, Chentamil Patasala maintained by the late Mr. T. Ganapati Pillai. It is a popular institution in the locality.

(*b*) Government have sanctioned the opening of parallel Tamil divisions of Classes I and II in the Vernacular High School at Trivandrum with effect from the beginning of the next school year (1931-32).

Construction of a building for the Primary School in the Mangaram muri, Konni pakuti.

140. **MR. TAMARAPALLIL KOCHUTOMMAN** (*Pattanamtitta*): Will the Government be pleased to state:

(*a*) the number of times, during the years 1104 and 1105, the Chief Inspector and Assistant Inspector of Schools visited the Primary School located in the Mangaram *muri*, in the Konni *pakuti*, Pattanamtitta taluk;

(*b*) what report has been made to Government by the said inspecting officers during the period regarding the condition of the school building there;

(*c*) the number of buildings used for school purposes in 1104, and the number used now (10-4-1106);

(*d*) whether any representation has been made to Government or to the inspecting officer, by the people of the locality stating that the said school building is unfit for the purpose for which it is now used; and

(*e*) if the answer to part (*d*) is in the affirmative, the action taken on that representation by Government.

MR. K. GEORGE (*Chief Secretary to Government*) : (*a*) The Assistant Inspector visited the school once in 1104 and twice in 1105. The school was not visited by the Chief Inspector in 1104 and 1105.

(*b*) A report was received by the Director of Public Instruction in Tulam 1106 from the Inspector of Vernacular Schools about the unsafe condition of the school house. The Director's report was received by Government on the 7th March 1931.

(*c*) The building consists of two blocks. Both blocks were used in 1104. One block and a private building are being used now.

(*d*) Yes.

(*e*) The matter is receiving the attention of Government.

Pandalam-Aranmula road.

141. **MR. TAMARAPALLIL KOCHUTOMMAN** (*Pattanamtitta*): Will the Government be pleased to state :

(*a*) the year in which they took over under their management, the road leading from Pandalam to Aranmula;

(*b*) whether they received any complaints or representations from the people of the locality about the difficult nature of this road for traffic;

(*c*) if the answer to part (*b*) is in the affirmative, when the first of these representations was received by them ;

(*d*) the total number of representations received by them till now (10-4-1106); and

(*e*) the action taken by them till now on these representations?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) The road has been under departmental maintenance since 1096 as a village road and was transferred under cart tracks from 1102.

(*b*) Yes.

(*c*) In 1898, so far as traceable.

(*d*) About 26 so far as traceable, besides representations made n the Assembly.

(*e*) Estimates have been prepared and sanctioned ; and as a result, most of the culverts have been constructed.

Bridge across the Chirayinkil canal near Kadakam.

142. **MR. K. P. NILAKANTA PILLAI** (*Chirayinkil*) : Will the Government be pleased to state whether the bridge across the Chirayinkil canal near Kadakam is completed ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): No. The work is in progress. The abutments are built up and the R. C. piles are moulded. Steps are taken to sink the piles.

Opening of a road between the bridge across the Chirayinkil canal near Kadakam and the Sarkara road.

143. **MR. K. P. NILAKANTA PILLAI** (*Chirayinkil*): Will the Government be pleased to state whether any step has been taken for constructing the road between the bridge across the Chirayinkil canal near Kadakam and the Sarkara road near the Sarkara bridge?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): No. There is no proposal to construct a road. There is an existing foot-path which is being used by the pedestrians.

Necessity for opening a First Class Magistrate's Court at Shertallai.

144. **MR. MURUVELIL PACHU PILLAI** (*Shertallai*): Will the Government be pleased to state:

(*a*) whether the Tahsildar, Shertallai taluk, had not been invested with the powers of a First Class Magistrate till the re-distribution of taluks;

(*b*) whether representations have not been made in the Popular Assembly and in the Legislative Council for re-establishing a First Class Magistrate's Court there as of old;

(*c*) whether they have taken any action thereon till now (8-4-1106);

(*d*) whether the District Magistrate, Kottayam, the Excise Commissioner, or the Commissioner of Police has recently made any recommendation to them for opening immediately a First Class Magistrate's Court at Shertallai;

(*e*) if so, whether they have taken any action in the matter till now; and

(*f*) if the answer to part (*e*) is in the affirmative, the nature of the action taken and the stage at which the matter is at present?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes.

(*b*) Yes.

(*c*) The question was under consideration.

(*d*) The District Magistrate, Kottayam, recommended that the local Tahsildar might be invested with First Class Magisterial powers.

(*e*) Yes.

(*f*) The Tahsildar, Shertallai taluk, has been invested with First Class Magisterial powers and the necessary Notification has been published in the Gazette.

Appointment of Mr. Pichu Aiyangar as Personal Assistant to the Commissioner of Police.

145. **MR. A. THANU PILLAI** (*Trivandrum*): With reference to the answer to Question No. 100, asked at the meeting of the Council held on the 24th January 1930, *viz.*, "there were several matters in his office which the Commissioner himself had to attend to, but owing to more important and urgent work he could not attend to them in time." (page 274 of Vol. XVI of the Council Proceedings), will the Government be pleased to state:

(*a*) what those matters were which were attended to by the Commissioner of Police himself and those attended to by his Personal Assistant; and

(*b*) why the appointment of the Personal Assistant said to be temporary is still (18-4-1106) continuing?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) It is impossible to be exhaustive and precise in differentiating the work done by the two officers. The Commissioner was engaged upon the drafting of his re-organisation and re-allocation schemes and the elaborate routine orders entailed on account of the tour of His Excellency the Viceroy, besides the ordinary routine correspondence regarding administration and control of crime and traffic.

The Personal Assistant dealt with papers of minor importance, attended to the Accounts Branch, the education of the recruits and the large mass of papers connected with the increasing volume of work connected with the Motor Traffic Branch.

(*b*) The appointment is still temporary and continues whilst the re-organisation and traffic branch schemes are under consideration.

MR. A. THANU PILLAI (*Trivandrum*): Has the Commissioner of Police any substantial amount of work to do now in connection with the consideration of the re-organisation and re-allocation schemes?

MR. K. GEORGE (*Chief Secretary to Government*): Once the schemes are submitted to Government for consideration, he has no substantial work to do in connection with that.

MR. A. THANU PILLAI (*Trivandrum*): So, am I to understand that the special duty that necessitated the appointment of a temporary personal assistant continues no more?

MR. K. GEORGE (*Chief Secretary to Government*): A certain part of the special duties have ceased to exist. But it will be seen from the second part of the answer to part (*a*) that the Personal Assistant has also to deal with a large volume of work connected with the Motor Traffic Branch which continues.

MR. A. THANU PILLAI (*Trivandrum*); I see that. But in the answer what I see is that the Personal Assistant was necessitated because the Commissioner was engaged in his re-organisation and re-allocation, schemes and the elaborate routine orders entailed on account of the tour of His Excellency the Viceroy in addition to the ordinary routine correspondence. Now these special duties are over and only the ordinary routine correspondence continues. The work of the Personal Assistant is not necessary now. I wish to know whether I am right in that understanding of the answer?

MR. K. GEORGE (*Chief Secretary to Government*): The Commissioner of Police urgently wanted an Assistant because of the special items of work he had to attend to. He has got work which cannot be turned out by a single man in connection with the traffic branch and so he says that it is necessary to continue the appointment of the Personal Assistant until the traffic branch is created. The second part of the answer to part (*a*) is important.

MR. A. THANU PILLAI (*Trivandrum*): The answer merely says "the appointment is still temporary and continues whilst the re-organisation and traffic branch schemes are under consideration."

MR. K. GEORGE (*Chief Secretary to Government*): After the consideration is finished the traffic branch will be separated and then there will be a separate officer for traffic work.

MR. A. THANU PILLAI (*Trivandrum*): Before the visit of His Excellency the Viceroy and the traffic and re-organisation schemes, was there any demand by the Commissioner of Police for a Personal Assistant ?

MR. K. GEORGE (*Chief Secretary to Government*): I claim notice. I have not got information just now before me.

MR. A. THANU PILLAI (*Trivandrum*): May I know how long are these schemes to be under consideration ?

MR. K. GEORGE (*Chief Secretary to Government*): For some time more.

MR. A. THANU PILLAI (*Trivandrum*): How long?

MR. K. GEORGE (*Chief Secretary to Government*): I cannot say.

MR. A. THANU PILLAI (*Trivandrum*): Have the Government considered the desirability of discontinuing this office in view of the great economic distress prevailing in the land and the consequent necessity for retrenchment ?

MR. K. GEORGE (*Chief Secretary to Government*): Not at present, because the Commissioner wants a Personal Assistant until the traffic branch is separated.

MR. A. THANU PILLAI (*Trivandrum*): So only I want to know when the re-organisation and re-allocation schemes will be over ?

MR. K. GEORGE (*Chief Secretary to Government*): I have answered the question.

Cases against motor drivers taken up by the Police for rash driving.

146. **MR. D. C. JOSEPH** (*Agastisvaram*): Will the Government be pleased to state :

(*a*) the number of cases taken up by the Police for rash driving from 1-1-1106 to 15-4-1106 and the percentage of conviction ; and

(*b*) the arrangements made by the Police for ascertaining rash driving ?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) (i) 31.
(ii) 9·7

(*b*) No arrangements are possible with the present staff to check rash driving except where the Police are posted or when Traffic Inspectors and officers tour.

MR. D. C. JOSEPH (*Agastisvaram*): Will the member be pleased to state who was responsible for the detection of these thirty-one cases ?

MR. K. GEORGE (*Chief Secretary to Government*): The Police.

MR. D. C. JOSEPH (*Agastisvaram*): I want to know who were responsible for the detection—whether the A. S. Ps., D. S. Ps., Inspectors or Prosecuting Inspectors ?

MR. K. GEORGE (*Chief Secretary to Government*): It is not possible to say.

MR. D. C. JOSEPH (*Agastisvaram*); May I know from the member what was the cause of the low percentage of conviction ?

MR. K. GEORGE (*Chief Secretary to Government*): I cannot say.

MR. D. C. JOSEPH (*Agastisvaram*): May I know from the member whether any enquiry was made or any information called for from the Department for such a low percentage of conviction ?

MR. K. GEORGE (*Chief Secretary to Government*): No.

MR. D. C. JOSEPH (*Agastisvaram*): May I know from the member whether the Government are prepared to call for such information ?

MR. K. GEORGE (*Chief Secretary to Government*): If the member desires, Government have no objection to do so. Because the original question did not ask for it, it was not called for.

MR. D. C. JOSEPH (*Agastisvaram*): With regard to the answer to part (*d*) will the member be pleased to state how these Officers were able to detect these cases ?

MR. K. GEORGE (*Chief Secretary to Government*): They must have seen the drivers going at a furious speed.

DEPUTY PRESIDENT: It is in the answer given.

MR. D. C. JOSEPH (*Agastisvaram*): It is stated that no arrangement is possible with the present staff.

MR. K. GEORGE (*Chief Secretary to Government*): It is also stated that rash driving cannot be checked except where the Police are posted or when Traffic Inspectors and Officers tour.

MR. D. C. JOSEPH (*Agastisvaram*): My question is how they find out rash driving ?

MR. K. GEORGE (*Chief Secretary to Government*): When they drive rashly you can find it out.

MR. D. C. JOSEPH (*Agastisvaram*): Is there any speedometer checking ?

DEPUTY PRESIDENT: Cars have got speedometers.

MR. D. C. JOSEPH (*Agastisvaram*): What the answer says is that the Police are posted to check.

MR. K. GEORGE (*Chief Secretary to Government*): They check by actually seeing rash driving.

MR. D. C. JOSEPH (*Agastisvaram*): Are the Police able to find out at a halting Station how a car is being driven ?

MR. K. GEORGE (*Chief Secretary to Government*): They will find out not when the cars halt but when the cars are driven at a furious speed.

MR. D. C. JOSEPH (*Agastisvaram*) : Will the member be pleased to state how the Police find out how the cars are being driven ?

DEPUTY PRESIDENT : The Department will note the time of departure and the time of arrival. Calculate and you can arrive at the speed.

MR. D. C. JOSEPH (*Agastisvaram*) : Will the member be pleased to state whether any standard timing is adopted ?

MR. K. GEORGE (*Chief Secretary to Government*) : Yes.

MR. D. C. JOSEPH (*Agastisvaram*) : May I know whether all the clocks agree ? Supposing a car starts at 6 O'clock from Nagercoil and when it reaches Tuckalay it is 6-30 or 6-45 ?

MR. K. GEORGE (*Chief Secretary to Government*) : I do not follow.

MR. D. C. JOSEPH (*Agastisvaram*) : May I know whether the Police have regular time in all checking stations ?

MR. K. GEORGE (*Chief Secretary to Government*) : I believe they do keep clocks.

MR. D. C. JOSEPH (*Agastisvaram*) : How do they keep correct time ? Is it by weekly correction ?

MR. K. GEORGE (*Chief Secretary to Government*) : I have no infor mation now. If the member wants it, I shall make an enquiry.

MR. D. C. JOSEPH (*Agastisvaram*) : Will the member be pleased to state whether any arrangement has been made to check rash driving, whether any steps have been taken ?

MR. K. GEORGE (*Chief Secretary to Government*) : That is answered in part (*b*).

MR. D. C JOSEPH (*Agastisvaram*) : Will the member be pleased to state what arrangement has been made by the Department to prevent rash driving by private car owners ? The Police make arrangements with regard to the timing of other cars. I want to know whether any arrangement has been made to check rash driving by private car owners ?

MR. K. GEORGE (*Chief Secretary to Government*) : The speed at which cars can be driven is prescribed.

MR. D. C. JOSEPH (*Agastisvaram*) : May I know whether any action has been taken against any private owner driving a car at a speed which is not generally allowed to a public car ?

MR. K. GEORGE (*Chief Secretary to Government*) : Sir, I doubt whether it is a supplementary question.

DEPUTY PRESIDENT : It is not a supplementary question as he has not asked for information with respect to offences committed by private car owners. Probably they are very respectable people conforming to the speed-limit. Why do you pursue that ? Your idea seems to be that, there should be a better scheme for traffic control. You have expressed that already. The actual checking is done when constables are posted.

MR. D. C. JOSEPH (*Agastisvaram*): But no two clocks at the checking stations agree.

DEPUTY PRESIDENT: It is unfortunate.

MR. D. C. JOSEPH (*Agastisvaram*): That is the trouble now.

DEPUTY PRESIDENT: You are right. But just compare your own watch with that of your friend. You will see how the Police man is particularly handicapped.

Acting Teachers of Vernacular Schools.

147. **MR. V. CHELLAM PILLAI** (*Tovala*): Will the Government be pleased to state:

(*a*) whether the late Director of Public Instruction, Mr. K. V. Rangaswami Aiyangar, had passed an order to the effect that the teachers of Vernacular Schools who were acting between the years 1100 and 1103 must be absorbed before new hands are appointed;

(*b*) whether a list of such teachers has been prepared;

(*c*) if so, whether the list was prepared according to seniority in service or qualification;

(*d*) whether the order is now strictly followed;

(*e*) whether any deviation has been made by the present Director; and

(*f*) if the answer to part (*e*) is in the affirmative, the nature of deviation, and the reasons for it?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) No.

(*b*) to (*f*) In view of the answer to part (*a*) above, these questions do not arise.

Visits of the District Superintendent of Police, Kottayam, to the Commissioner of Police.

148. **MR. MURUVELIL PACHU PILLAI** (*Shertallai*): Will the Government be pleased to state:

(*a*) whether the District Superintendent of Police, Kottayam, has visited the Commissioner of Police since the 19th Kanni 1106, and, if so, the number of such visits; and

(*b*) the dates of such visits and the official necessity for such visits?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes, three times.

(*b*) On 2-3-1106, 6-4-1106 and 20-4-1106. The necessity for the visits was to receive instructions from the Commissioner of Police on Police matters.

Abkari Revenue.

149. **MR. R. KESAVA PILLAI** (*Kottarakara* cum *Kunnattur*): Will the Government be pleased to state:

(*a*) the respective number of liquor and toddy shops that were in existence during the year 1105 throughout the whole State;

(*b*) the respective number of liquor and toddy shops of 1105 which were not bid in auction till the close of the year 1105;

(c) the respective number of liquor and toddy shops which were bid in auction or which were agreed to be conducted by the contractors;

(d) the revenue which they have realised from abkari for the months of Chingom, Kanni and Tulam each during the current year (1106); and

(e) the revenue for the corresponding months of Chingom, Kanni and Tulam in 1105?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*):

(a) Liquor shops ... 536.
Toddy shops ... 1,208.

(b) Nil.

(c) *Vide* answer to question (a).

(d) and (e)

		1106.			1105.		
		Rs.	Ch.	C.	Rs.	Ch.	C.
Chingom	...	1,30,176	21	8	1,81,699	18	14
Kanni	...	1,76,592	20	4	2,31,007	21	3
Tulam	...	2,29,903	20	11	3,06,125	9	1

Date of issue of the prohibitory order by the District Magistrate, Kottayam.

150. **MR. MURUVELIL PACHU PILLAI** (*Shertallai*): Will the Government be pleased to state:

(a) whether it was not on the 23rd Kanni that the District Magistrate, Kottayam, issued the order prohibiting the public meeting proposed to be held on the 24th Kanni;

(b) whether on the same date the Excise Commissioner, the District Superintendent of Police, Kottayam, and the Police Inspector, Shertallai, had visited the District Magistrate camping at Changanachery; and

(c) the official necessity of their visit?

MR. K. GEORGE (*Chief Secretary to Government*): (a) Yes.

(b) Yes.

(c) The District Superintendent of Police, Kottayam, and the Inspector of Police, Shertallai, visited the District Magistrate at Changanachery to press their applications for the issue of the order prohibiting the holding of the public assemblies and processions in Shertallai. The Excise Commissioner spoke about the Excise matters at Changanachery.

Extension of time of the prohibitory order of the District Magistrate, Kottayam.

151. **MR. MURUVELIL PACHU PILLAI** (*Shertallai*): Will the Government be pleased to state:

(a) whether they have not subsequently extended by two months the period of the prohibitory order issued by the District Magistrate, Kottayam, against the holding of public meetings in the Shertallai taluk; and

(b) at whose request such extension was sanctioned?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes.

(*b*) On the recommendation of the District Magistrate, Kottayam.

Acting teachers in Vernacular Schools.

152. **MR. V. S. KRISHNA PILLAI** (*Tiruvalla*): Will the Government be pleased to state:

(*a*) whether there are teachers in the Vernacular Schools who have been acting during the period between 1100 and 1103 M. E., but who have not been included in the list of acting hands as yet (15-4-1106); and

(*b*) if so, will they be pleased to lay on the table a list of such acting hands?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes, but they have been ordered to be included in the list of acting hands.

(*b*) The list* of such acting hands is laid on the table.

Pay of the typists of the Secretariat.

153. **MR. N. K. KRISHNA PILLAI** (*Neyyattinkara*): Will the Government be pleased to state:

(*a*) why they have omitted to carry out the recommendation made by the Council *re* the time-scale of Rs. 50-75 to the 10 typists of the Secretariat who got Rs. 50 on the 1st Chingom 1098;

(*b*) whether they are aware that this has created discontent among four of the typists who were similarly circumstanced as those who got increment; and

(*c*) whether they are aware that the chances of the remaining four typists to get the fixed pay of Rs. 60 and Rs. 75 are few and far between as almost all of them have put in not less than 17 years' service?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Government did not accept the recommendations as, after careful consideration of the question, they considered that the revision proposed by them was adequate to meet the circumstances of the case.

(*b*) No.

(*c*) No. The remaining typists will get the chance in their turn.

Opening of a hospital or dispensary at Kollankode.

154. **MR. T. C. KESAVA PILLAI** (*Kalkulam cum Vilavankod*): Will the Government be pleased to state:

(*a*) the number of fishing villages from Vizhinjam to Colachel on the beach side;

(b) the number of villages affected by the recent cholera epidemic;

(*c*) the number of villages where there ware maximum and minimum number of deaths due to the said epidemic; and

(*d*) whether there is any hospital or dispensary on the beach side at Kollankode?

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* *Vide* Appendix XXIII—page 599.

MR. C. O. MADHAVAN (*Ag. Secretary to Government*) : (*a*) 32.
(*b*) 29.
(*c*) The question is not clear.
(*d*) None; the question of opening a dispensary at Tengapattanam, which is close to Kollankode, is under consideration.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): part (c) ചോദ്യം ക്ലീയർ അല്ല എന്നു പറയുന്നു. എന്നാൽ ൫ ഗ്രാമങ്ങളിൽ രോഗം ഉണ്ടായതായിട്ടു പറയുന്നുണ്ട്. ഈ ൫ ഗ്രാമങ്ങളുള്ളതിൽ കൂടുതൽ മരണം എവിടെയാണുണ്ടായിട്ടുള്ളത്?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*) : 'കൂടുതൽ' എന്നുള്ള അർത്ഥം ഉദ്ദേശിച്ചിരിക്കാം മെമ്പർ 'maximum' number of deaths എന്നു ചോദിച്ചതു ?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): മറുപടി വ്യക്തമല്ലല്ലോ.

MR. C. O. MADHAVAN (*Ag. Secretary to Government*) : എത്ര മരണം ഉണ്ടായാൽ 'maximum' ആകും എന്നു അറിവില്ലാത്തതുകൊണ്ടാണ ചോദ്യം വ്യക്തമല്ല എന്നു മറുപടി പറഞ്ഞതു്.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*) : ഈ ൫ ഗ്രാമത്തിൽ എത്ര ആളുകൾ മരിച്ചിട്ടുണ്ടെന്നു അറിയാമോ?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*) : That can be supplied on notice—not just now.

DEPUTY PRESIDENT: You claim notice.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): അവിടെ ഗവണ്മെണ്ടാശുപത്രി ഇല്ല. പ്രൈവറ്റ് ആസ്പത്രികൾ വല്ലതും ഉണ്ടോ എന്നറിയാമോ ?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): I have no information.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*) : പ്രൈവറ്റ് ആസ്പത്രികൾ വല്ലതും ഉണ്ടോ എന്നു് അന്വേഷണം നടത്താമോ ?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): If the member requires it, the information will be called for.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*) : കടൽ തീരസ്ഥലങ്ങളായ കുളച്ചലിനും വിഴിഞ്ഞത്തിനും ഇടയ്ക്കു് എവിടെ എങ്കിലും ആസ്പത്രി ഉണ്ടോ?

DEPUTY PRESIDENT: You can say that you have no information. As regards your suggestion for opening a dispensary at Tengapattanam,

[Deputy President.]

the question is under consideration. That is the only question under consideration.

Under-selling of salt.

155. **MR. V. CHELLAM PILLAI** (*Tovala*): Will the Government be pleased to state:

(*a*) whether they are aware of the fact that, at the salt factories at Tamaracolam, under-selling of salt has become the rule of the day;

(*b*) whether there are complaints received from the Receivers appointed by the District Court, Nagercoil, to manage certain salt pans in Extension Factory No. 1 to the effect that they are being forced to under-sell salt and that therefore they should be allowed to under-sell;

(*c*) whether they are aware that such under-selling injuriously affects the salt industry as a whole; and

(*d*) whether they have enquired into the reasons that lead to such under-selling?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) No. The Excise Commissioner has stated that there is no under-selling of salt in the salt factories at Tamaracolam.

(*b*) A complaint was received from the Receivers appointed by the District Court, Nagercoil, about the under-selling of salt by the other licensees of the Avathanial's factory. The complaint was, on enquiry, found to be groundless.

(*c*) and (*d*) In view of the answers to parts (*a*) and (*b*), these do not arise.

The Trivandrum Water Works.

156. **MR. D. C. JOSEPH** (*Agastisvaram*): Will the Government be pleased to state:

(*a*) what the cost of the Trivandrum Water Works will be per head of population;

(*b*) what such *per capita* cost is in similar water works in British India;

(*c*) what portion of the capital is borne by the Trivandrum Municipality and what by the Government;

(*d*) what will be the cost of 1,000 gallons of water to be supplied in the city;

(*e*) what is the expected revenue from water cess per head of population;

(*f*) whether the city population and Government institutions are expected to meet fully the running expenses of the scheme; and

(*g*) if not, what will be the annual sum of money that will have to be met from the general funds to meet its recurring expenditure?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) The cost per head of the population as estimated is Rs. 39 with 25 gallons per head average and 33 1/3 gallons summer supply for a prospective population of 135,000.

(*b*) A statement* furnishing the required information is laid on the table.

(*c*) to (*g*) It is not possible to give answers to these questions, as those matters are still under the consideration of Government.

MR. D. C. JOSEPH (*Agastisvaram*) : With reference to part (*a*) of the answer, what is the cause of such a high rate in Trivandrum alone?

DEPUTY PRESIDENT : You say that is heavy here?

MR. D. C. JOSEPH (*Agastisvaram*) : In the statement it is given that the cost per head of population in Benares is Rs. 22½, Cawnpore Rs. 23 and Ernakulam Rs. 23. In Trivandrum alone it is 39 rupees. I want to know what is the cause for this?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : One of the causes is that the people of Trivandrum use more water than in other places.

DEPUTY PRESIDENT : That is what you assume?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : That is one of the bases on which the calculation is made.

MR. D. C. JOSEPH (*Agastisvaram*) : In Trivandrum, they have allotted only 25 gallons per head average, while in Benares they are using 30 gallons. May I know from the member the cause of this exorbitant rate per head?

DEPUTY PRESIDENT : Why do you refer to Benares? Can't you think of some places nearer?

MR. D. C. JOSEPH (*Agastisvaram*) : I am not responsible for that. It is the Government who have made that comparison in their answer. I am not responsible for giving these places. I simply wanted information about similar works in British India. I did not mention any particular locality.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : The water is taken from a long distance here, about eight miles away. In other places it is ·8 of a furlong or half a mile. That may be one of the reasons.

DEPUTY PRESIDENT : Why do you say "may be"? You can say that you cannot give a definite answer now.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) : No information is available. I claim notice.

Mr. Subba Rao, Medical Officer, Chengannur.

157. **MR. TAMARAPALLIL KOCHUTOMMAN** (*Pattanamtitta*) : Will the Government be pleased to state :

(*a*) how long the present Medical Officer of Chengannur, Mr. Subba Rao, had been in that station;

(*b*) whether any complaints had been received by them, during this period, about his conduct and duties as a Medical Officer;

(*c*) whether the Chief Medical Officer, Administrative Board, Medical Services, has received, during the period of Mr. Subba Rao's office at Chengannur, any judgment from the Judicial Courts of that place, containing adverse criticisms and remarks about his conduct;

* *Vide* Appendix XXIV—pages 600 to 602.

[Mr. Tamarapallil Kochutomman.]

(*d*) how many such complaints and judgments referred to in parts (*a*) and (*b*) have been so far received by Government, and what action has been taken on them;

(*e*) whether Mr. Subba Rao's transfer from Chengannur at any time has been contemplated or ordered by Government during the course of his official life there;

(*f*) if the answer to part (*e*) is in the affirmative, why the said order of Government was later on reconsidered and cancelled by them;

(*g*) whether any petition has been received by the Administrative Board, Medical Services, from any individual or body of people of Chengannur, praying for the transfer of Mr. Subba Rao from that place; and

(*h*) the action taken by them on such petitions?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (*a*) About four years.

(*b*) Yes.

(*c*) Yes.

(*d*) Six complaints were received by the Administrative Board, Medical Services, and the Inspecting Medical Officer conducted a local enquiry. Copy of the judgment was received by Government, and he was warned and fined five rupees.

(*e*) No. The transfer of Sub-Assistant Surgeons rests with the Administrative Board, Medical Services.

(*f*) This does not arise in view of the answer to part (*e*).

(*g*) Yes.

(*h*) On local enquiry by the Inspecting Medical Officer, it was found that the allegations in the petitions were quite unfounded.

Inspection of Joint Stock Companies.

158. **MR. A. THANU PILLAI** (*Trivandrum*): Will the Government be pleased to state:

(*a*) the number of Joint Stock Companies, domestic and foreign, at work in the State at the close of 1095, 1100 and 1105;

(*b*) the number of new companies registered during the years 1100 to 1105;

(*c*) whether it is a fact that the Registrar of Joint Stock Companies has never been able to inspect all the companies at least once a year;

(*d*) whether they have any proposal to remedy the defects in the control of Joint Stock Companies;

(*e*) the work, the Government Auditor in the Registrar's office is doing; and

(*f*) whether there is any proposal to amend the Companies Regulation so as to provide for the inspection, by the Registrar, of the account books of the companies?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*)

At the close of 1095	...	227
Do. 1100	...	217
Do. 1105	...	484

(*b*) 335.

(*c*) Yes.

(*d*) As the law stands at present, the Registrar has no power to inspect the account books of the companies. There is a proposal to amend the Regulation in this respect.

(*e*) The Auditor is in immediate charge of the office, responsible to the Registrar for its prompt and proper working. He signs papers "For Registrar" except those relating to filing and certification of statutory documents and communications to Government. He also supervises the work of the staff in the office.

(*f*) Vide answer to part (*d*).

Munshies in Vernacular Schools.

159. **MR. REVATI NAL RAMA VARMA RAJA** (*Edavagai*) Will the Government be pleased to state :

(*a*) the number of Munshies in the Vernacular Schools of the State ;

(*b*) their general qualification ;

(*c*) their special qualification ;

(*d*) the number among them that know English ; and

(*e*) whether any of them have passed the S. S. L. C. examination?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) 101.

(*b*)

Sastri	...	51
Mahopadhyaya	...	8
Upadhyaya	...	8
Munshi Test	...	7
Vidwan	...	12
Vernacular Higher	...	9
(Nil qualification)	...	3
No. of vacancies to be filled up	...	3
	Total...	101

(*c*) Nil.

(*d*) The information is not available.

(*e*) No.

Appointment of Kshatriyas in the Census Department.

160. **MR. REVATI NAL RAMA VARMA RAJA** (*Edavagai*): (1) Will the Government be pleased to lay on the table a statement, by caste, of the total number of appointments the Census Commissioner has made in connection with the census work?

(2) Will they be pleased to state :

(*a*) whether any Kshatriyas have applied for any appointment;

(*b*) if the answer to part (2) (*a*) is in the affirmative, the dates of such applications ; and

(*c*) whether any Kshatriya has been appointed?

MR. K. GEORGE (*Chief Secretary to Government*): (1) The statement* is placed on the table.

(2) (*a*) Yes.

(*b*) (1) 2-5-1105.

(2) 1-7-1105.

(3) 14-9-1105.

(4) 5-3-1106.

(*c*) Yes.

Statement, by caste, of the Officers of the Colleges of Arts and Science at Trivandrum.

161. **MR. V. J. OOMMEN** (*Commerce and Industry, North*): Will the Government be pleased to lay on the table a statement showing the number of Brahmins, Nayars, Catholics, Jacobites, Mar Thoma Christians, Protestants, Ezhavas, Mahomedans, Vellalas and members of other communities among the officers of the Colleges of Arts and Science at Trivandrum?

MR. K. GEORGE (*Chief Secretary to Government*): The statement† asked for by the member is laid on the table.

Assistant Inspectors and Inspectresses of Schools not transferred from their stations for more than three to five years.

162. **MR. V. J. OOMMEN** (*Commerce and Industry, North*): Will the Government be pleased to state:

(*a*) whether there are Assistant Inspectors and Inspectresses of Schools now (9-7-1106) in the State who have not been transferred from their stations for more than three to five years; and

(*b*) if the answer to part (*a*) is in the affirmative, their names and the reasons why they are kept in those stations for such a long time?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes.

(*b*) (1) Mr. Eipe Mathai B. A., L. T., Assistant Inspector of English Schools, Kottayam.

(2) Mr. K. V. Chandy B. A., L. T., Assistant Inspector of English Schools, Trivandrum.

(3) Mr. P. S. Sivaswami Iyer B. A., L. T., Personal Assistant to the Inspector of English Schools, Trivandrum.

(4) Miss Deena Mathew B. A., L. T., Assistant Inspectress of Girls' Schools, District V, Kottayam.

They are kept in their respective stations for departmental convenience.

Submission by officers of quarterly statements of appointments to Government.

163. **MR. V. J. OOMMEN** (*Commerce and Industry, North*): Will the Government be pleased to state;

(*a*) whether a G. O. was issued during the time of Dewan Mr. Raghaviah to the effect that every officer having powers of appointment should submit to the Government a quarterly statement, by caste, of the appointments made by him;

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* *Vide* Appendix XXV – page 603.

† *Vide* Appendix XXVI – page 603

(*b*) if the answer to part (*a*) is in the affirmative, whether they will lay on the table a copy of that G. O.;

(*c*) whether that G. O. is still (9-7-1106) in force; and

(*d*) if the answer to part (*c*) is in the affirmative, whether the officers usually submit statements in accordance with that G. O.?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) A circular was issued by Government in the matter.

(*b*) A copy of the Circular *R. O. C. No. 1103/24, dated the 14th July 1924, is laid on the table.

(*c*) The circular is in force.

(*d*) Yes.

MR. V. J. OOMMEN (*Commerce and Industry, North*): ഇതിൽ പറഞ്ഞിരിക്കുന്നതായ സർക്കുലർ അനുസരിച്ചു എല്ലാ ഡിപ്പാർട്ടുമെൻറു മേലദ്ധ്യക്ഷന്മാരും ൧൯൨൪ മുതൽ നാളതുവരെ punctual ആയിട്ടു റിട്ടേൺസ് അയച്ചുകൊണ്ടാണോ ഇരിക്കുന്നതു്?

MR. K. GEORGE (*Chief Secretary to Government*): Punctual ആയിട്ട് അയയ്ക്കുന്നു എന്നു പറയുവാൻ നിവൃത്തിയില്ല.

MR. V. J. OOMMEN (*Commerce and Industry, North*): Usual ആയി അയയ്ക്കുന്നുണ്ടോ എന്നു ചോദിച്ചതിന് yes എന്ന് ഉത്തരം പറഞ്ഞിരിക്കുന്നു.

DEPUTY PRESIDENT: You had asked whether officers usually submit statements in accordance with the G. O. You now alter the language and ask whether they punctually submit the statements. There is difference between "punctually" and "usually."

MR. K. GEORGE (*Chief Secretary to Government*): യൂഷ്വലായിട്ടു അയക്കുന്നുണ്ട് എന്നു മറുപടിയിൽ പറഞ്ഞിട്ടുണ്ട്.

MR. V. J. OOMMEN (*Commerce and Industry, North*): ഏതെങ്കിലും ഡിപ്പാർട്ടുമെൻറു മേധാവികൾ അയക്കാതിരുന്നതായിട്ടു ഗവൺമെൻറിനറിയാമോ?

MR. K. GEORGE (*Chief Secretary to Government*): അതു പറയാൻ നിവൃത്തിയില്ല. അയക്കാതിരിക്കുന്നവർക്കെല്ലാം Reminders അയച്ചു അവരെക്കൊണ്ടു് അയപ്പിക്കുന്നുണ്ടു്.

MR. V. J. OOMMEN (*Commerce and Industry, North*): അങ്ങിനെ ആണെങ്കിൽ, അയക്കുന്നുണ്ടോ എന്നു ചോദിച്ചതിന് Yes എന്നു മറുപടി പറഞ്ഞിരിക്കുന്നതിൻെറ അൎത്ഥമെന്താണു്?

MR. K. GEORGE (*Chief Secretary to Government*): സാധാരണ അയക്കുന്നുണ്ടു്.

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* *Vide* Appendix XXVII page—604.

MR. V. J. OOMMEN (*Commerce and Industry, North*): ഡിപ്പാർട്ടുമെൻറധികാരികൾ ചിലപ്പോൾ അയക്കുകയും ചിലപ്പോൾ അയക്കാതിരിക്കുകയും ചെയ്യുന്നു എന്നാണോ ഞാൻ ഈ മറുപടിയിൽ നിന്നു മനസ്സിലാക്കേണ്ടതു്?

MR. K. GEORGE (*Chief Secretary to Government*): അങ്ങിനെ അല്ല മനസ്സിലാക്കേണ്ടതു്. റിട്ടേൺസ് ചിലപ്പോൾ താമസിച്ചുവരാം. ചിലപ്പോൾ അയക്കാതേയും ഇരിക്കാം. താമസിച്ചുവരുന്ന റിട്ടേൺസിനെ സമയാസമയത്തു അയപ്പിക്കുന്നതിനും അയക്കാതിരിക്കുന്നവൎക്കു റിമൈൻഡേർസ് അയച്ചു റിട്ടേൺസ് അയപ്പിക്കുന്നതിനും ആണു് ഗവണ്മെൻറിരിക്കുന്നതു്. ഗവണ്മെൻറു അങ്ങിനെ ചെയ്യുന്നുമുണ്ടു്.

MR. V. J. OOMMEN (*Commerce and Industry, North*): അങ്ങിനെ അയക്കാത്ത ഡിപ്പാർട്ടുമെൻറു മേധാവികളോടു സമാധാനം ചോദിച്ചിട്ടുണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): സമാധാനം ചോദിച്ചിട്ടില്ല. എന്നാൽ റിട്ടേൺസ് ഉടനെ അയക്കണമെന്നു ഉത്തരവുകൾ അയച്ചിട്ടുണ്ടു്.

MR. V. J. OOMMEN (*Commerce and Industry, North*): ഇതുവരെ റിട്ടേൺസ് അയക്കാത്ത ഡിപ്പാർട്ടുമെൻറു മേധാവികൾ വല്ലവരും ഉണ്ടോ?

MR. K. GEORGE (*Chief Secretary to Government*): അതിനെപ്പററി പ്രത്യേകമായി അന്വേഷണം നടത്താതെ പറയുവാൻ നിവൃത്തിയില്ല.

MR. V. J. OOMMEN (*Commerce and Industry, North*): പിന്നെ എന്തു് മനസ്സിൽവച്ചുകൊണ്ടാണു് "Yes" എന്നു മറുപടി പറഞ്ഞിരിക്കുന്നതു്?

MR. K. GEORGE (*Chief Secretary to Government*): അതിലേക്കു ഞാൻ മറുപടി പറഞ്ഞുകഴിഞ്ഞു.

MR. V. J. OOMMEN (*Commerce and Industry, North*): ചോദ്യങ്ങൾക്കു് സപ്ലിമെൻററി ചോദ്യം ഉണ്ടാകും എന്നുള്ള മുൻകരുതലോടുകൂടി വേണ്ടേ വരുവാൻ?

MR. K. GEORGE (*Chief Secretary to Government*): ഇങ്ങിനെ സപ്ലിമെൻററി ചോദ്യം ചോദിക്കുമെന്നു ഞാൻ ഊഹിച്ചില്ല. (ചിരി).

MR. V. J. OOMMEN (*Commerce and Industry, North*): ചോദ്യം അയച്ച ഞാൻ സപ്ലിമെൻററി ക്വസ്റ്റ്യൻ ചോദിക്കാതെ വെറുതെ ഇരുന്നുകളയുമെന്നാണോ ചീഫ് സെക്രട്ടറി അവർകൾ വിചാരിച്ചതു്?

MR. K. GEORGE (*Chief Secretary to Government*): "Usual" എന്നതിനെ "Punctual" എന്നു് അർത്ഥമാക്കി സപ്ലിമെൻററി ക്വസ്റ്റ്യൻ ചോദിക്കുമെന്നു ഞാൻ വിചാരിച്ചില്ല.

DEPUTY PRESIDENT: Mr. Oommen, you are cross-examining Mr George. You raised a distinct question and it was answered.

MR. V. J. OOMMEN (*Commerce and Industry, North*): ഡിപ്പാർട്ടുമെൻറു മേധാവികൾ ശരിയായി റിട്ടേൺസ് അയക്കണം എന്നുള്ള ഉദ്ദേശത്തിലാണു ഞാൻ ഈ ക്വസ്റ്റ്യൻ ചോദിച്ചതു്. അതു ശരിയായിട്ടു അയക്കുന്നില്ല എന്നാണു ചീഫ് സെക്രിട്ടറി അവർകൾ പറയുന്നതു്.

DEPUTY PRESIDENT: If you can refer to any particular instance it will be enquired into.

MR. V. J. OOMMEN (*Commerce and Industry, North*): ഡിപ്പാർട്ടുമെൻറു മേധാവികൾ ശരിയായി റിട്ടേൺസ് അയക്കുന്നില്ല എന്നു എനിക്കു് അറിവുകിട്ടിയതുകൊണ്ടാണു് ഈ ചോദ്യം ചോദിച്ചതു്. ഗവർമെൻറിടപെട്ട എല്ലാ സംഗതികളും അറിഞ്ഞുകൊണ്ടിരിക്കുന്ന ചീഫ് സെക്രിട്ടറിതന്നെ നിശ്ചയമില്ലാ എന്നുപറയുന്നു.

DEPUTY PRESIDENT: Do not argue with me, Mr. Oommen. You raised a specific question and it was answered. If an officer does not submit a return, it is the usual procedure in the Secretariat to send reminders.

MR. V. J. OOMMEN (*Commerce and Industry, North*): "Usually" എന്നു ഞാൻ ചോദിച്ചപ്പോൾ, ചിലപ്പോൾ അയയ്ക്കുന്നു എന്നും ചിലപ്പോൾ അയയ്ക്കുന്നില്ല എന്നും മറുപടി പറഞ്ഞാൽ മതിയായിരുന്നു. "Yes" എന്നു മറുപടി പറയേണ്ട ആവശ്യമില്ലായിരുന്നു.

DEPUTY PRESIDENT: The Government are just trying to get these returns by sending reminders. What is it that you want now?

MR. V. J. OOMMEN (*Commerce and Industry, North*): മേലാലെങ്കിലും ഗവൺമെൻറു് returns വരുത്തുന്നതിൽക്കൂടുതൽ നിഷ്കർഷയായി പ്രവർത്തിക്കുമൊ?

DEPUTY PRESIDENT: Any thing in the nature of warning or advice does not arise as a supplementary question.

MR. V. J. OOMMEN (*Commerce and Industry, North*): എന്റെ ചോദ്യത്തിന്റെ ഉദ്ദേശം ഇന്നതാണെന്നു ഗവൺമെൻറിനെ മനസ്സിലാക്കാനാണു ഞാൻ ഭാവിക്കുന്നതു്.

DEPUTY PRESIDENT: The point that you want to stress is clear. Government orders are not being faithfully carried out.

MR. V. J. OOMMEN (*Commerce and Industry, North*) : ഇനി മേലാലെങ്കിലും ഡിപ്പാർട്ടുമെൻറു മേധാവികളെക്കൊണ്ടു റിട്ടേൺസു ശരിയായി അയപ്പിക്കാൻ ഗവണ്മെൻറു ശ്രദ്ധിക്കുമൊ ?

MR. K. GEORGE (*Chief Secretary to Government*) : ഗവണ്മെൻറു അങ്ങിനെ തന്നെയാണ് ഉദ്ദേശിച്ചിരിക്കുന്നതു്.

MR. V. J. OOMMEN (*Commerce and Industry, North*) : ഉദ്ദേശം പോലെ നടക്കുന്നില്ലല്ലൊ?

DEPUTY PRESIDENT: That is argument and not asking for information.

Appointments made by Dewan Peishkars.

164. **MR. V. J. OOMMEN** (*Commerce and Industry, North*) : Will the Government be pleased to lay on the table a statement, by caste, of the appointments made by the present (31-10-1105) Dewan Peishkars of Kottayam, Quilon and Trivandrum in their respective Divisions during their tenure of office ?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*) : A statement* giving the required particulars is laid on the table.

Proposal for the appointment of three Chief Inspectors in the Education Department.

165. **MR. A. C. KURIAKOSE** (*Minachil cum Devicolam*) : Will the Government be pleased to state :

(*a*) whether they propose to introduce a scheme abolishing the present Inspectorate and appointing three Chief Inspectors for the inspection of Malayalam and English Middle Schools and a Deputy Director for the inspection of High Schools ;

(*b*) if so, the defects observed by them in the existing arrangements ;

(*c*) the number of years since the English and the Malayalam branches of the Education Department were placed under separate inspecting authorities ; and

(*d*) if at all any change is to be introduced, the reform proposed to be effected in the department of female education ?

MR. K. GEORGE (*Chief Secretary to Government*) : (*a*) Such a scheme is not before the Government now.

(*b*) In view of the answer to part (*a*) above, this does not arise.

(*c*) About 21 years.

(*d*) In view of the answer to part (*a*) above, this does not at present arise.

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* *Vide* Appendix XXVIII—page—605.

Allowance to the Secretary to the Legislative Council.

166. **MR. A. C. KURIAKOSE** (*Minachil* cum *Devicolam*): Will the Government be pleased to state:

(*a*) whether the Secretary to the Legislative Council holds any other office;

(*b*) if so, his other duties;

(*c*) whether they had been giving any special salary or allowance to the Secretary to the Legislative Council;

(*d*) if so, the amount of such salary or allowance;

(*e*) the year in which such payment was commenced;

(*f*) whether that amount is paid even now (28-11-1930); and

(*g*) if not, the year in which it was last paid and the reason for its discontinuance now?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Yes.

(*b*) He is one of the Secretaries to Government and also holds the office of Controller of Patents and Designs.

(*c*) Yes.

(*d*) and (*e*) A local allowance of Rs. 50 per mensem from 1-12-1100.

(*f*) and (*g*) The local allowance was abolished with effect from the 3rd Chingom 1105 as the scale of pay of the Secretaries was raised from that date to Rs. 400-50-600 and as he has been given the assistance of two Assistant Secretaries.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*); ൧൧൦൫-ൽ സിക്രട്ടേറിയററിൽ ഉണ്ടായ പരിഷ്കാരത്തിലാണ കൗൺസിൽസിക്രട്ടറിയുടെ അലവൻസ് നിൎത്തിയതു എന്ന മറുപടിയിൽ കാണുന്നു. ഈ പരിഷ്കാരത്തിൽ സിക്രട്ടറിമാർ രണ്ടു പേൎക്കും എല്ലാവിഷയത്തിലും ഉള്ള ജോലി തുല്യമാണ എന്ന വിശ്വസിക്കാമൊ?

MR. K. GEORGE (*Chief Secretary to Government*): കൌൺസിൽ ജോലികൂടി കൂട്ടുമ്പോൾ രണ്ടു സിക്രട്ടറിമാൎക്കും ജോലി തുല്യമായിരിക്കും.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ൧൧൦൦ മുതൽ ൧൧൦൫ വരെ കൌൺസിൽ സിക്രട്ടറിയുടെ ജോലി കൂടുതലായിട്ടാണൊ വിചാരിച്ചിരുന്നതു്?

MR. K. GEORGE (*Chief Secretary to Government*): അതെ.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ശമ്പളം ക്രമപ്പെടുത്തിയപ്പോൾ ജോലിയും ക്രമപ്പെടുത്തി, അതു കൊണ്ടാണ ഈ അലവൻസ് നിറുത്തിക്കളഞ്ഞതു്, എന്നാണൊ ഞാൻ മനസ്സിലാക്കേണ്ടതു്?

MR. K. GEORGE (*Chief Secretary to Government*): അതെ.

Issue of licenses to owner-drivers of motor cars.

167. **MR. REVATI NAL RAMA VARMA RAJA** (*Edavagai*): Will the Government be pleased to state the reason for insisting on photos for driving licenses in the case of persons who drive their own cars?

MR. K. GEORGE (*Chief Secretary to Government*): Photos are necessary as per revised Rule 20 of the Motor Vehicles Rules. They are necessary for identification.

Anchal Service.

168. **MR. K. PADMANABHA PANIKKAR** (*Ambalapuzha*): Will the Government be pleased to state:

(*a*) whether any petitions have been received either by them or by the Anchal Superintendent with regard to the delay in the transmission of Anchal from Changanachery to Alleppey;

(*b*) whether they have received any petitions complaining of the delay in the services of Anchal articles that pass from Changanachery to Alleppey; and

(*c*) if the answers to parts (*a*) and (*b*) are in the affirmative, whether the complaints in these petitions have been found to be well-founded and the action taken on them?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) and (*b*) The answer is in the affirmative.

(*c*) The matter is engaging the attention of Government.

Hardships caused to the clerks of the Secretariat by not making permanent arrangements in the existing vacancies.

169. **MR. D. C. JOSEPH** (*Agastisvaram*): Will the Government be pleased to state:

(*a*) whether they are aware of the hardships which the clerks of the Secretariat are put to by not making permanent arrangements in the existing vacancies; and

(*b*) whether they are prepared to take early steps to remedy the grievance of the clerks?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) and (*b*) All the permanent vacancies have been filled up.

MR. D. C. JOSEPH (*Agastisvaram*): Will the member be pleased to state when these vacancies were filled up?

MR. K. GEORGE (*Chief Secretary to Government*): About a month ago.

MR. D. C. JOSEPH (*Agastisvaram*): May I know from the member whether these vacancies were filled up according to the waiting list?

MR. K. GEORGE (*Chief Secretary to Government*): I do not think it arises as a supplementary question.

DEPUTY PRESIDENT: What is the difficulty in answering that question?

MR. K. GEORGE (*Chief Secretary to Government*): I do not think that it arises as a supplementary question out of this interpellation.

DEPUTY PRESIDENT: If you are in a position to answer it, why not you do it?

MR. K. GEORGE (*Chief Secretary to Government*): There is no waiting list in the Secretariat. Waiting list is a list of persons who apply for appointments and wait.

MR. D. C. JOSEPH (*Agastisvaram*): Is there any other system of filling up vacancies?

MR. K. GEORGE (*Chief Secretary to Government*): Yes. From the list of acting hands.

Regravelling the Chavara-Sasthancotta road.

170. **MR. G. P. NILAKANTA PILLAI** (*Karunagapalli*): Will the Government be pleased to state:

(*a*) whether the Chavara-Sasthancotta road has been regravelled as provided for in the Budget for 1106; and

(*b*) if the said road has been regravelled, the amount spent for the same?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) No.

(*b*) This does not arise in view of the answer to part (*a*).

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): With reference to the answer to part (*a*) of the question, may I know why the work was not done?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The work was not considered very urgent, and it was therefore postponed.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): May I know why the work was budgeted for in 1106?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): It is a *necessary* work, But it was not thought to be a very *urgent* work. At the time of the preparation of the Budget, all necessary works were considered and included in the Budget. But now only urgent works are taken up.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): May I know what are the necessary urgent works included in the Budget which are not going to be taken up this year?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I claim notice of that question. It is very difficult to answer such a question.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): May I know what is the standard to decide whether a work, is urgent or not?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I claim notice of that question.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): If this road was not considered to be an urgent work may I know, the reasons that induced Government to treat it as not urgent?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I have already answered, in regard to a prior question which involved the same idea, that I claim notice.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): May I know why this particular work was not taken up this year?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): After provision was made for the purpose in the Budget, there was financial stress and funds for this work along with a number of others were surrendered. That was the reason why the work was not taken up.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): May I know at least the date when the amount allotted for this work was surrendered?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I have not got that particular information before me just now. I claim notice.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): May I know whether it was due to the state of the finances of the country that the funds allotted for this purpose were surrendered?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I have already answered that question in the affirmative.

When financial stringency was felt, the Chief Engineer was asked whether there were works for which provision was made in the current year's Budget which could be postponed for the time being. He sent up a list of works which could wait.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): May I know whether it was on the recommendation of the Chief Engineer that this work was postponed?

DEPUTY PRESIDENT: It must be.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): May I know when the Chief Engineer made his recommendation?

DEPUTY PRESIDENT: He did not send up his recommendation with reference to this particular work alone. He sent up a list of works which could be postponed and this work was in the list. You cannot treat it as if it were solitary instance by itself, as if your constituency was specially victimised by the Chief Engineer.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): May I know when the Chief Engineer made his report about the postponement of the work?

DEPUTY PRESIDENT: I quite appreciate your sense of disappointment. But, Mr. G. P. Nilakanta Pillai, your questions have all been answered, probably it may not be to your satisfaction.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*); I wish to know when the Chief Engineer made his recommendation?

DEPUTY PRESIDENT: Do you mean the date of his letter?

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): Not exactly the date.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Somewhere in Dhanu last.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): Did the recommendation include the Chavara-Sasthancotta road also?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes.

Improvement of the Oachira-Tamarakulam road.

171. **MR. G. P. NILAKANTA PILLAI** (*Karunagapalli*): Will the Government be pleased to state:

(*a*) whether the road from Oachira to Tamarakulam has been improved as provided for in the Budget for 1106; and

(*b*) whether any, and, if so, what amount has been spent for the improvement of the same?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) No.

(*b*) This does not arise in view of the answer to part (*a*).

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): May I know why this road was not included?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): For the same reasons that were stated in answer to the previous question.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): That is, it was not considered urgent?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Yes.

Extension of the Oachira-Alampeedika market road.

172. **MR. G. P. NILAKANTA PILLAI** (*Karunagapalli*): Will the Government be pleased to state:

(*a*) whether the road from Oachira to Alampeedika market is proposed to be extended to Ayiramthengu canal;

(*b*) the shortest distance from Alampeedika market to the canal; and

(*c*) whether any estimate has already been prepared for the extension of the same to the canal?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) Yes, but not immediately.

(*b*) About 3/4 of a mile.

(*c*) No detailed estimate has been prepared.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): With reference to the answer to part (*a*) of the question, may I know when the Government propose to take up the work?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) As soon as the financial condition improves.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): It is stated in that answer that the road is proposed to be extended, but not immediately. May I have an idea as to when the Government propose to extend the road?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): That cannot be definitely stated.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): Is the work considered necessary?

DEPUTY PRESIDENT: Government consider it necessary. Detailed estimates have not been prepared. The work is not one of *absolute* urgency. They accept the desirability of extending the road.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): And the necessity for the road?

DEPUTY PRESIDENT: Why, they have called for the estimate. It is only when that is carefully examined that budget provision will have to be made. This is a case where budget provision has not been made.

Bridge at Kallukadavu.

173. **MR. G. P. NILAKANTA PILLAI** (*Karunagapalli*): Will the Government be pleased to state:

(*a*) whether any representations have been made to the Government for the construction of the bridge at Kallukadavu on the Padanayarkulangara-Sasthancotta road; and

(*b*) whether any, and, if so, what steps have been taken by them on the representations made, if any?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (*a*) Yes.

(*b*) The matter has been referred to the Central Road Board for consideration.

Alwaye Division Engineer.

174. **MR. TARIATU KUNJITOMMAN** (*Muvattupuzha* cum *Todupuzha*): Will the Government be pleased to state how many years and months it is since the present (12-8-1106) P. W. Division Engineer at Alwaye took charge of the Alwaye Division?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): It is now four years and one month since the present P. W. Division Engineer at Alwaye took charge of the Alwaye Division.

Opening of Anchal Offices at Pallikkal and Gnekkad.

175. **MR. K. P. NILAKANTA PILLAI** (*Chirayinkil*): Will the Government be pleased to state what action has been taken with regard to the opening of two Anchal Offices, one at Pallikkal and the other at Gnekkad, in the Chirayinkil taluk?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): Petitions were received praying for the opening of Anchal Offices at Madavur-Pallikkal and Gnekkad in the Chirayinkil taluk and the petitioners have been told that the question of opening the Anchal Offices will be considered if they are prepared to deposit the necessary guarantee amount against loss to Government.

Local holidays for Minabharani at Kollencode and Ashtami day at Tirumala.

176. **MR. T. C. KESAVA PILLAI** (*Kalkulam* cum *Vilavankod*): Will the Government be pleased to state:

(*a*) whether they have received representations to give local holidays for Minabharani in Kollencode and Ashtami day at Tirumala in the Vilavankod taluk; and

(*b*) if the answer to part (*a*) is in the affirmative, the steps they have taken in the matter?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) Representations were made in this matter by the members of the Sri Mulam Popular Assembly at its previous sessions.

(*b*) The members were told in reply that the two days could not be declared as holidays for the taluk, as the festivals were not so important as to justify the grant of holidays.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): വേറെ ഏതെങ്കിലും താലൂക്കിൽ ലോക്കൽ ഹോളിഡേസ് കൊടുത്തിട്ടുണ്ടോ ?

MR. K. GEORGE (*Chief Secretary to Government*): മററു പല താലൂക്കുകളിലും പല സംഗതികളിലും ലോക്കൽ ഹോളിഡേസ് കൊടുത്തിട്ടുള്ളതായി കണ്ടേക്കാം.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ചോദ്യത്തിൽ പറഞ്ഞിട്ടുള്ള രണ്ടു ദിവസത്തിൽ കൂടുതൽ പ്രാധാന്യം ഏതിനാണെന്നു ഗവണ്മെൻറിനു അറിയാമൊ ?

MR. K. GEORGE (*Chief Secretary to Government*): ദേവസ്വം കമ്മീഷണരുടെ അഭിപ്രായത്തിൽ ഇതു രണ്ടും പ്രാധാന്യമുള്ളതല്ലെന്നാണ്.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ഉദ്ദേശം അവിടെ എന്തു് ആൾക്കൂട്ടം ഉണ്ടായിരിക്കുമെന്നുള്ളതിനെപ്പററി മേലാൽ ഒരന്വേഷണം നടത്തുന്നതിനു ഗവണ്മെൻറിനു ദയവുണ്ടാകുമൊ?

MR. K. GEORGE (*Chief Secretary to Government*): അന്വേഷണം നടത്താം.

Establishment of a Bureau of Statistics.

177. **MR. K. MADHAVAN PILLAI** (*Trivandrum* cum *Neduvangad*); In view of the strong recommendation made by the Banking Enquiry Committee that a permanent Bureau of Statistics working on up-to-date lines be organised, will the Government be pleased to state if any action has been taken to give effect to this recommendation?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The answer is in the negative. The report of the Committee and the recommendations contained therein are under the consideration of the Government.

Scarcity of water in Oollur.

178. **MR. K. MADHAVAN PILLAI** (*Trivandrum* cum *Neduvangad*): (1) Are the Government aware that there is great scarcity of drinking water in Oollur in the Trivandrum taluk?

(2) Will the Government be pleased to call for a report as to whether a small plot of Government land situated on the side of the Trivandrum-Quilon road near the girls' school at Oollur cannot be made available for sinking a well?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): (1) It is being enquired into.

(2) Yes.

Abolition of Apicultural, Sericultural and Poultry sections of the Agricultural Department.

179. **MR. A. THANU PILLAI** (*Trivandrum*): Will the Government be pleased to state whether there is any proposal before them to abolish the apiculture, sericulture and poultry farming sections of the Department of Agriculture?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): There is no such proposal before Government.

MR. A. THANU PILLAI (*Trivandrum*): May I know whether the question of the abolition or the continuation of these sections is being considered by the Government?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): On both the points, a report has been called for from the head of the department.

MR A. THANU PILLAI (*Trivandrum*): I wish to know the circumstances that necessitated the calling for such a report?

DEPUTY PRESIDENT: Calling for a report is different from a proposal. It is preliminary to considering a question. Your original question was whether there was any proposal before Government. The answer is "there is no such proposal."

MR. A. THANU PILLAI (*Trivandrum*): I submit that they are closely related matters. Of course, as an outsider I could only get information that something is going on in regard to the abolition of these sections.

DEPUTY PRESIDENT: It has already been answered.

MR. A. THANU PILLAI (*Trivandrum*): The answer is that a report has been called for, Now I wish to know what grounds there are for raising such a question? I think it is a relevant supplementary question.

DEPUTY PRESIDENT: I do not say that it is not relevant. I merely suggested to you that your original question has been fully answered.

MR. A THANU PILLAI (*Trivandrum*): It is something out of the way that Government should call for a report from the head of a

department why certain branches should not be abolished. That to me appears to be a matter which requires elucidation. So I put the question.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): A report has been called for at the instance of the Dewan who came to know that sericulture and apiculture are being undertaken by other persons also and done more scientifically. He therefore wanted to know whether those sections of the department may be abolished.

MR. A. THANU PILLAI (*Trivandrum*): May I know who the other persons are who are doing this work?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): It is being done at Marthandam.

MR. A. THANU PILLAI (*Trivandrum*): May I know the way in which it is done at Marthandam or the object with which it is done there?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I have no information. I claim notice.

MR. A. THANU PILLAI (*Trivandrum*): The member said that this work is done *more scientifically* at Marthandam than in the Government sections of the Agricultural Department. I wish to know why the learned member says so?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): We act under the orders of the Dewan. We do not know how he got the information.

MR. A. THANU PILLAI (*Trivandrum*): What is the object of Government in maintaining these two sections. Is it to mislead people?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): There is no intention of misleading.

MR. A. THANU PILLAI (*Trivandrum*): When the Government do things unscientifically?

DEPUTY PRESIDENT: There I think you are wrong.

MR. A. THANU PILLAI (*Trivandrum*): At any rate less scientifically than private agencies.

DEPUTY PRESIDENT: You are wrong again. Government do it scientifically. Probably the private agency may do it more cheaply.

MR. A. THANU PILLAI (*Trivandrum*): No, Sir, the admission of the Government is that the private agency is able to do it *more scientifically* with the limited resources at its disposal.

DEPUTY PRESIDENT: It is only a reflection on the department that others are able to do more scientifically.

MR. A. THANU PILLAI (*Trivandrum*): I wish to know why these two sections of the Department of Agriculture are being maintained and whether the object of the department and the object with which things are done at Marthandam are the same?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): It was reported that the matter was being done *more scientifically* at Marthandam. Government wanted to ascertain whether that was so.

MR. A. THANU PILLAI (*Trivandrum*): I wish to know whether the object of the Government in spending money on the two sections is the same as the object of the private agency which does these things at Marthandam?

DEPUTY PRESIDENT: The object of the Government is to open up industries and also to conduct demonstration as an object lesson.

MR. A. THANU PILLAI (*Trivandrum*): I wish to know whether that is an authoritative statement on behalf of Government?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*); I wish to know, Sir, whether the President can intervene and answer on behalf of the Government?

DEPUTY PRESIDENT: It is not answering on behalf of the Government.

MR. A. THANU PILLAI (*Trivandrum*): I wish to have an authoritative statement from the Government.

DEPUTY PRESIDENT: I do not think it is relevant.

MR. A. THANU PILLAI (*Trivandrum*): What is the object of the Government in having started these institutions in the first instance?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): These farms were started by the Government with the object of experimenting, demonstrating and popularising the measure, so far as I know.

MR. A. THANU PILLAI (*Trivandrum*): Are these exactly the objects of the Marthandam people?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I believe so.

MR. A. THANU PILLAI (*Trivandrum*): So, when private agencies come forward to popularise these things, Government may be in a position to abolish the sections altogether. Is that the position of the Government?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*) Government will then consider the position.

MR. A. THANU PILLAI (*Trivandrum*): If several private agencies come forward to experiment on manuring, then probably a large department will be abolished and if people come forward to experiment on soils probably the whole department will be abolished. Is that the position of the Government?

DEPUTY PRESIDENT: That is the answer of the Government. You can draw your own inference.

MR. A. THANU PILLAI (*Trivandrum*): The member said the object of the Government was to experiment, demonstrate and popularise. So far as that goes, there is nothing objectionable. Have the Marthandam people got agencies throughout the State or is it a localised farm?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): We have not got any definite information on it.

MR. A. THANU PILLAI (*Trivandrum*): May I know whether the report that has been called for is a report as to why these two sections should not be abolished or is it a report which will be the result of investigation into the whole question?

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Sir, the time for answering interpellations is over.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): The matter referred to the head of the department was to find out whether there were circumstances prevailing which would enable Government to abolish those branches of the poultry department.

MR. A. THANU PILLAI (*Trivandrum*): I want to know whether there are circumstances now existing as would justify the abolition of the department?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I am only referring to the abolition of certain branches of the department.

MR. A. THANU PILLAI (*Trivandrum*): I wish to know whether, the Dewan, acted on any representation or on his own initiative?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): He might have had some information.

MR. A. THANU PILLAI (*Trivandrum*): Could any information be made available to the House now?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): No.

MR. A. THANU PILLAI (*Trivandrum*): Is there any record to show that any body or public agency approached the Dewan with a request that those sections of the Agricultural Department should be abolished?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): No such information is available.

MR. A. THANU PILLAI (*Trivandrum*): Is there anything to show on what basis the Dewan acted?

DEPUTY PRESIDENT: He has answered that point.

MR. A. THANU PILLAI (*Trivandrum*): He has not answered that.

Again I put the question, is there anything to show on what basis the Dewan acted?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): He might have had got that information from somebody.

MR. A. THANU PILLAI (*Trivandrum*): Sir, the learned Secretary is answering on behalf of Government. Therefore he must be in a position to know whether there is anything to show on what basis the Dewan acted? The Secretary is saying that the Dewan might have got information from somebody. That position I also understand. I would like to get a definite answer to my point.

DEPUTY PRESIDENT: You now just ask on what materials the Dewan wanted to institute an enquiry. That question has been answered. Naturally, I may tell you, he cannot answer that question.

MR. A. THANU PILLAI (*Trivandrum*): But the Secretary says that the Dewan took the initiative in the matter. He does not say he cannot answer.

DEPUTY PRESIDENT: Mr. Thanu Pillai, you proceed a step further and ask the Government to answer, on what materials the Dewan acted. The Secretary in charge of the question replies that he does not know.

MR. A. THANU PILLAI (*Trivandrum*): That he does not say. But the Secretary says that there might have been something on which the Dewan acted.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I answered that I was not aware on what definite basis the Dewan had acted.

Abolition of the post of the Ayurveda Director.

180. **MR. D. C. JOSEPH** (*Agastisvaram*): Will the Government be pleased to state why the Ayurveda Director's place is left vacant?

MR. C. O. MADHAVAN (*Ag. Secretary to Government*): The Inspector of Vaidyasalas has been placed in charge of the Director's duties and the formation of an Ayurveda Board is under the consideration of the Government.

Registry of Forest areas.

181. **MR. V. J. OOMMEN** (*Commerce and Industry, North*): (1) Will the Government be pleased to state whether the Conservator of Forests has ever written to them during the last four years (1102-1105) that he had no objection to have certain specified forest areas registered in the names of private individuals?

(2) If the answer to part (1) is in the affirmative, will they be pleased to lay on the table a statement showing the area of each and the names of the persons in whose favour those recommendations were made?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): (1) The answer is in the affirmative.

(2) Such instances are so numerous that it is not possible to collect the information required without an amount of labour and expenditure quite disproportionate to the benefits likely to accrue therefrom.

MR. V. J. OOMMEN (*Commerce and Industry, North*): Part (2). Such instances are so numerous that it is not possible to collect the information required without an amount of labour and expenditure quite disproportionate to the benefits likely to accrue therefrom.

ജോലി ചെയ്യുന്നതിനു തക്ക പ്രതിഫലം ഇല്ലാത്തതുകൊണ്ടു മറുപടിതരുന്നതിനു നിവൃത്തിയില്ലാ എന്നു മറുപടി പറഞ്ഞിരിക്കുന്നു. ഇ

തു ഗവണ്മെൻറിൻെറ അഭിപ്രായമാണൊ ? അതല്ല ഡിപ്പാർട്ടുമെൻറിൻെറ അഭിപ്രായമാണൊ ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): അതു ഗവണ്മെൻറിൻെറ അഭിപ്രായമാണ്.

MR. V. J. OOMMEN (*Commerce and Industry, North*): എൻെറ അഭിപ്രായത്തിൽകൂടുതൽ പ്രയോജനം ഉണ്ടെന്നു വിചാരിച്ചാണു ഞാൻ ചോദ്യം ചോദിച്ചിട്ടുള്ളതെന്നു മെംബർക്കറിയാമൊ?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): അങ്ങിനെ ആയിരിക്കാം. ഗവണ്മെൻറിൻെറ അഭിപ്രായം പറഞ്ഞു.

MR. V. J. OOMMEN (*Commerce and Industry, North*); ചോദ്യം കൊണ്ടു വളരെ ഗുണം കിട്ടുമെന്നു വിചാരിച്ചാണു ഞാൻ ചോദിച്ചിട്ടുള്ളതു്.

DEPUTY PRESIDENT: Mr. Oommen, please do not discuss the ethics of that. You made a request. Government say that the time and trouble involved is out of proportion to its utility. That is the usual form in which they answer.

MR. V. J. OOMMEN (*Commerce and Industry, North*). So numerous എന്നു പറയുന്നു. അപ്രാക്സിമേററായിട്ടെങ്കിലും ഒരു അയിഡിയാ പറയാൻ കഴിയുമൊ?

DEPUTY PRESIDENT: ഇൻഫർമേഷൻ കളക്റ്റ് ചെയ്യാതെ എങ്ങിനെ പറയാൻ സാധിക്കും?

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): എത്രയാണെന്നു പറയാൻ നിവൃത്തിയില്ല.

MR. V. J. OOMMEN (*Commerce and Industry, North*): കോടിക്കണക്കിനൊ ലക്ഷക്കണക്കിനൊ ഉണ്ടായിരുന്നു എന്നു പറയാമൊ?

MR. T. K. MADHVAN NAYAR (*Ag. Secretary to Government*): എത്ര ഉണ്ടായിരിക്കുമെന്നു പറയാൻ നിവൃത്തിയില്ലെന്നു മുമ്പു തന്നെ പറഞ്ഞുവെല്ലൊ.

MR. V. J. OOMMEN (*Commerce and Industry, North*): ആയിരക്കണക്കിനു വരുമൊ.

ഞാൻ നാലു ആണ്ടത്തെ കണക്കാണു ചോദിച്ചിരിക്കുന്നതു്. ദിവസവും ഓരോ പെററിഷൻ വീതം, ഇത്ര ഏക്കർ സ്ഥലം പതിച്ചു കിട്ടണമെന്നു്, വന്നിരുന്നാലും എത്ര വരുമെന്നു നിശ്ചയിക്കാവുന്നതാണ്; അതൊ അതിലും കൂടുതലായി വരുമൊ.

MR. T. K. MADHVAN NAYAR (*Ag. Secretary to Government*): അതിനു മറുപടി പറഞ്ഞിട്ടുണ്ടു്.

MR. V. J. OOMMEN (*Commerce and Industry, North*): അതിനു മറുപടി പറഞ്ഞിട്ടില്ല.

DEPUTY PRESIDENT: You may repeat your question and the Secretary will repeat his answer.

MR. V. J. OOMMEN (*Commerce and Industry, North*): ചിലവാകുന്ന സമയത്തിനും പ്രയാസത്തിനും തക്ക പ്രതിഫലം കിട്ടാത്തതുകൊണ്ടു മറുപടി പറയുന്നില്ലഎന്നുപറയുന്നു. കൌൺസിൽ സെക്രിട്ടറിക്കു ധാരാളം സ്റ്റാഫ് ഉണ്ട്. അവൎക്കുവേണ്ടി ആണ്ടുതോറും ബഡ്ജറ്റിൽ ധാരാളം പണം അനുവദിച്ചുകൊടുക്കുന്നതു് ഇങ്ങിനേയുള്ള ജോലികൾ ചെയ്യുന്നതിനല്ലെങ്കിൽ പിന്നെ എന്തിനാണെന്നു മനസ്സിലാകുന്നില്ല. ജനപ്രതിനിധികൾ ചോദിക്കുന്ന ചോദ്യങ്ങൾ അതാതു ഡിപ്പാൎട്ടുമെൻറു മേധാവികൾക്കു് എഴുതിഅയച്ചു മറുപടി വരുത്തേണ്ടതു കൌൺസിൽസെക്രിട്ടറിയുടെ ജോലിയാണന്നറിയാമൊ ?

DEPUTY PRESIDENT: He has already answered.

MR. V. J. OOMMEN (*Commerce and Industry, North*): റൂൾസിനു വിരുദ്ധമാണെങ്കിൽ അതു ഞാൻ ചോദിക്കുന്നില്ലാ.

DEPUTY PRESIDENT: Mr. Oommen, there is no use of pursuing your question. What you say now may form part of your regular speech in the course of the Budget debate. You ask a question and the Government reply that the time and labour involved would not justify the investigation. That is the usual form of answer given in any Legislative Assembly. Why do you want to make an exception in this case. If you think that the Government have not been fair, take some other opportunity where you can ventilate your grievances. Instead of putting a supplementary question, you are questioning the necessity for the Secretary's establishment and all that.

MR. V. J. OOMMEN (*Commerce and Industry, North*): ജോലി വളരെ കൂടുതലായിരിക്കുന്നതുകൊണ്ടു വളരെ പ്രയാസമെന്നാണു മറുപടി പറഞ്ഞിരിക്കുന്നതു്.

DEPUTY PRESIDENT: You cannot proceed further. This is not the first time that you find such an answer.

Appendix XX A.

***Vide* Answer to Question No. 131.**

Statement by caste of appointments made by District Judges during 1104 and 1105.

District Courts.	Hindus.											Mussalmans.	Christians.					
														Roman Catholics.		Syrians.		
	Brahmins (Malayala).	Brahmins (Others).	Nadars.	Ezhavas.	Kammalas.	Kshatriyas.	Nayars.	Pulayas.	Other Hindus.	Vellalas.	Other depressed Classes.		Protestants.	Latin rite.	Syriac rite.	Jacobite	Mar Thoma.	Church of England.
Nagercoil	..	2	..	..	..	..	9	..	..	..	..	1	2	..	..	..	..	..
Trivandrum	..	26	..	10	..	..	47	..	1	3	6	..	1	1	..	12	2	2
Quilon	..	3	..	5	..	..	5	..	1	..	..	2	..	..	..	3	..	..
Alleppey	..	6	..	5	..	..	15	3	4	..	..	3	..	..	1	6	1	..
Kottayam	1	2	..	2	..	1	12	..	..	..	..	..	1	..	2	3	..	..
Parur	..	1	..	2	..	..	16	..	..	..	..	1	..	2	..	4	..	..

Appendix XX B.

***Vide* Answer to Question No. 131.**

Statement by caste, of appointments made by District Munsiffs during 1104 and 1105.

Munsiffs' Courts.	Hindus.											Mussalmans.	Christians.					
	Brahmins (Malayala)	Brahmins (Others).	Nadars.	Ezhavas.	Kammalas.	Kshatriyas.	Nayars.	Pulayas.	Other Hindus.	Vellalas.	Other depressed classes.		Protestants.	Roman Catholics. Latin rite.	Roman Catholics. Syriac rite.	Syrians. Jacobite.	Syrians. Mar Thoma.	Church of England.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Nagercoil Munsiff's Court (Principal)	..	3	..	..	1	..	1	...	2	1	2	..	6	..	..	..	..	..
" " (Additional)	..	1	1	..	1	..	3	..	1	1	1	2	1	..	..	..	..	..
Padmanabhapuram " (Principal)	..	6	..	..	...	..	8	..	2	1	..	1	3	..	..	..	..	..
" " (Additional)	..	10	..	..	1	..	9	..	2	..	..	1	3	..	..	..	..	..
Kuzhithurai " (Principal)	...	4	..	..	..	..	8	..	1	..	..	..	2	..	1	..	..	..
" " (Temporary)	..	2	..	..	..	..	6	..	..	1	..	..	6	5	..	..	..	..
Trivandrum " (Principal)	..	6	..	..	...	1	16	..	2	1	..	..	..	..	..	1	..	..
" " (Additional)	..	6	...	2	..	..	12	..	1	2	..	..	6	1	..	1	..	..
" " (Temporary)	..	...	..	3	..	..	9	..	..	..	1	..	2	..	1	1	..	..
Neyyattinkara " (Principal)	1	2	3	4	1	..	20	...	..	..	4	2	2	..	..	..	..	..
" " (Additional)	2	..	4	5	1	..	11	..	..	..	1	..	6	1	..	..	..	..

Appendix XX B.—(*contd.*)

Munsiffs' Courts.	Hindus.											Mussalmans.	Christians.					
	Brahmins (Malayala)	Brahmins (Others)	Nadars	Ezhavas.	Kammalas	Kshatriyas.	Nayars.	Pulayas.	Other Hindus.	Vellalas.	Other depressed Classes.		Protestants.	Roman Catholics.		Syrians.		Church of England.
														Latin rite.	Syriac rite.	Jacobite.	Mar Thoma.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Attingal Munsiff's Court (Principal)	1	6	...	2	..	...	8	...	...	...	1	3	..	..	1	...	..	..
„ „ (Additional)	...	1	...	3	..	..	12	...	...	...	..	..	..	..	2	..	..	..
Neduvangad „	1	4	...	...	..	..	5	...	...	...	1	...	..	..	1	1	..	..
Quilon „ (Principal)	..	..	...	..	..	...	...	...	...	...	..	..	..	..	..	..	..	..
„ „ (Additional)	1	1	..	1	..	...	17	...	5	2	..	1	..	1	..	3	1	..
Kottarakara „	..	...	...	1	1	..	4	...	...	1	..	1	..	..	..	1	3	..
Adoor „	..	1	..	4	...	..	22	...	2	1	..	2	..	..	..	8	..	..
Chengannur „	..	3	...	..	...	..	..	...	3	1	..	1	..	..	..	..	..	..
Mavelikara „	..	...	..	..	..	..	10	...	...	..	..	1	..	..	..	2	4	..
Karunagapalli „	...	..	...	1	..	..	25	...	2	..	..	1	..	..	.	3	4	..
Krishnapuram „	..	2	...	..	..	..	12	...	2	1	..	1	..	..	..	..	..	..
Shencotta „	...	3	..	..	..	..	...	...	3	1	..	1	..	..	..	..	..	..
Alleppey „ (Principal)	..	...	...	3	..	..	17	...	2	1	2	2	..	1	1	7	5	1
„ „ (Additional)	..	...	..	2	..	..	24	...	2	..	1	1	...	..	..	..	3	..

Appendix XX B.—*(concld.)*

Munsiffs' Courts.	Hindus.											Mussalmans.	Christians.					
														Roman Catholics		Syrians.		
	Brahmins (Malayala).	Brahmins (Others.)	Nadars.	Ezhavas.	Kammalas.	Kshatriyas.	Nayars.	Pulayas.	Other Hindus.	Vellalas.	Other depressed classes.	Mussalmans.	Protestants.	Latin rite.	Syriac rite.	Jacobite.	Mar Thoma.	Church of England.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Shertallai Munsiff's Court (Principal)	..	..	..	..	..	..	2	..	..	..	...	..	...	...	..	..	..	..
" " (Temporary)	..	..	..	..	..	..	3	..	..	.	...	..	...	..	1	..	2	2
Vaikam " (Principal)	..	2	..	1	..	..	14	..	..	1	2	..	..	..	2	5	5	..
" " (Temporary)	..	..	..	..	..	..	..	..	..	1	...	..	..	..	..	..	..	..
Haripad "	..	7	..	1	..	..	18	..	..	..	1	..	..	..	..	1	3	..
Kottayam "	..	..	..	1	..	..	6	..	1	..	...	..	...	..	..	..	..	..
Changanachery "	..	1	..	2	..	..	16	..	..	..	...	1	...	..	1	1	..	..
Tiruvalla "	..	3	..	..	..	..	13	..	2	..	...	..	2	..	..	3	2	1
Kanjirapalli "	..	..	..	..	..	..	6	..	..	..	1	..	1	..	2	2	2	..
Minachil "	..	1	..	..	..	..	17	..	2	1	...	1	..	..	4	6	2	..
Parur "	..	2	..	..	..	..	..	..	..	..	...	...	..	..	..	..	..	..
Muvattupuzha "	..	5	..	..	..	..	26	..	..	1	...	1	..	..	..	3	..	..
Todupuzha "	..	1	..	..	..	..	10	..	..	..	...	1	..	1	..	2	..	..
Perumpavoor "	..	6	..	..	..	..	23	..	2	1	1	...	...	..	..	3	..	..
Devicolam "	..	1	..	..	..	..	6	..	2	..	...	...	...	..	..	3	1	..

Appendix XXI.

Vide Answer to Question No. 132.

Statement, by caste, of the clerks of the District Court, Parur.

I.	HINDUS.	
	Brahmins (Malayala)	...
	Brahmins (Others)	3
	Ezhavas	...
	Kammalas	...
	Kshatriyas	...
	Nadars	...
	Nayars	9
	Pulayas	...
	Vellalas	...
	Other depressed classes	...
	Other Hindus	...
II.	MUSSALMANS	...
III.	CHRISTIANS	
	1. Protestants	...
	2. Roman Catholics	
	(a) Latin rite	...
	(b) Syriac rite	1
	3. Syrians	
	(a) Jacobites	...
	(b) Mar Thoma	...
	4. Church of England	1
IV.	Others	...
	Total	14

Appendix XXII.

***Vide* Answer to Question No. 136.**

Statement showing the number of appointments made in the Co-operative Department during the period between 1-12-1103 and 15-4-1106 by the Government and the Registrar of Co-operative Societies (separately).

Hindus.											Mussalmans.	Christians.						Remarks.
													Roman Catholics.		Syrians.			
Brahmins (Malayala.)	Brahmins (others.)	Ezhavas.	Kammalas.	Kshatriyas. (Malayala)	Nadars.	Nayars.	Pulayas.	Vellalas.	Other depressed classes.	Other Hindus		Protestants.	Latin rite.	Syrian rite.	Jacobite.	Mar Thoma.	Others.	
								MADE BY GOVERNMENT.										
..	..	..	..	..	..	2	..	1	..	..	..	..	..	..	.	..	..	Acting.
..	..	..	..	..	..	..	..	..	..	..	1	..	..	1	..	..	..	Temporary.
								MADE BY REGISTRAR.										
..	..	1	..	..	1	4	..	3	..	..	1	..	..	..	1	1	..	Acting.

Appendix XXIII.

Vide Answer to Question No. 152.

List of persons whose names have not been included in the list of acting hands till 15-4-1106.

1. S. Nanu Pillai.
2. N. Gopalan Nayar.
3. V. N. Gopalan Nayar.
4. K. Madhavan.
5. P. N. Madhavan Pillai.
6. G. Bhaskara Pillai.
7. K. V. Gopala Pillai.
8. S. Kuttan Marar.
9. C. Krishna Panikkar.
10. R. Nanoo Nayar.
11. G. Nilakantan Nayar.
12. M. Narayanan Nayar.
13. T. Raghava Aiyar.
14. Narayana Panikkar N. Raman Nayar.
15. Rama Varma Ravi Varma Tirumulpad.
16. K. Raman Nayar.
17. S. Raman.
18. G. Thomas.
19. C. S. Gopala Pillai.
20. N. Nilakanta Pillai.
21. V. Vamana Naick.
22. G. Velu Pillai.
23. M. C. Varkey.
24. G. Krishnan Oonnithan.
25. K. Idichandy.
26. K. Gopalan Nayar.
27. T. V. Gopala Pillai.
28. K. Gopala Aiyar.
29. Nakuru Meera Meera Moitheen.
30. S. Paramu Pillai.
31. K. Raghava Kurup.
32. C. K. Chinnan.
33. A. P. Thomas.
34. E. U. Yohannan.
35. M. C. Chacko.
36. V. I. Kunju Pillai.
37. K. V. Narayanan Nayar.
38. N. Narayanan.
39. S. Sankara Variar.
40. K. M. Koshy.
41. U. Easwara Pillai.
42. G. Narayana Kurup.
43. M. K. Narayana Pillai.
44. K. M. Niran.
45. M. J. Joseph.
46. V. C. Thomas.
47. P. M. Thomas.
48. V. Ramakrishna Pillai.
49. P. Gangadharan Pillai.
50. Mathevan Pillai Sreedharan Pillai.
51. R. Damodaran Pillai.
52. K. Kunchu.
53. C. T. Samuel.
54. N. K. Chellappan Pillai.
55. V. Chellappan Asari.
56. M. N. Raman Pillai.
57. Gopalan Nayar.
58. U. G. Oonnunni.
59. K. Krishna Variar.
60. A. Nanappan Pillai.
61. C. Varghese.
62. R. Sankara Aiyar.

Appendix XXIV.

***Vide* Answer to Question No. 156.**

Statement showing capital cost and other details of certain water works for comparison of the cost with that of the Trivandrum Water Supply Scheme.

Serial No.	Name of city to which the water works relate.	Year of inauguration.	Present population served (The population for which the scheme was designed is not known).	Whether pumping scheme or Gravitation scheme.	Consumption of water.			Capital Expenditure to end of March 1921. Rs.	Capital expenditure per head of population including re-organisation.	Area of water supply town sq. miles.	Remarks.
					No. of hours of supply.	Per head per day gallons.	Daily average consumption for all purposes.				
1	Agra .	1890	185,946 (including 22,044 in Cantonment).	Pumping.	10 hours	24·60	45,74,598	31·44 lakhs.	Rs. 17	..	Supply Mains 28" Dr. 2½ miles long 18" .. 1 .. 18" Dr. 1¾ miles long.
2	Allahabad.	1891	157,226 (11,567 in Cantonment).	Do.	11·6 hours	24·84 including 0·89 for trade	39,05,512	27·67 lakhs (Reorganisation costing 28 lakhs in progress).	35½	About 15	Supply Mains 20 Dr. 1·9 miles long 20" D 1·9
3	Benares .	1892	198,447 (3,314 in Cantonment).	Do.	7·9 hours	30·46	60,44,477	35·54 lakhs (Reorganisation costing 9 lakhs in progress).	22½	About 10	Supply Mains 24" Dr. 0·89 miles long 24" Steel 0·77 miles long.

Appendix XXIV.—(*Contd.*)

Statement showing capital cost and other details of certain water works for comparison of the cost with that of the Trivandrum Water Supply Scheme.

Serial No.	Name of city to which the water works relate.	Year of inauguration.	Present population served (The population for which the scheme was designed if not known.	Whether pumping scheme or Gravitation scheme.	Consumption of water. No. of hours of supply.	Consumption of water. Per head per day gallons.	Consumption of water. Daily average consumption for all purposes.	Capital Expenditure to end of March 1924. Rs.	Capital expenditure per head of population including re-organisation.	Area of water supply town. sq. miles.	Remarks.
4	Cawnpore	1894	2,16,436 (21,351 in Cantonment)	Pumping,	16·16 hours	29·17 (including 3·63 for trade)	63,14,259	26·88 lakhs (Reorganisation 23 lakhs in progress),	23	About 9½	Supply Mains Two 20 inch Dr. 1·32 miles long.
5	Lucknow	1894	2,01,334 (23,399 in Cantonment)	Do.	16·5 hours	14·06 (including 0.04 for tade)	28,30,546	53·58 lakhs Full reorganisation not worked for want of funds 3·28 lakhs spent to end of March 1927	28¼	..	Supply Mains 20 inch Dr. 3·5 Miles long 27 inch Dr. 3·0 Miles long.
6	Mirzapur (Water not filtered.)	1916	38,400	Gravitation reservoir with earth bund	Continuous	14·13 (including 0·7 for trade)	543,014	6·62 lakhs	17	..	Supply Mains 12 inch Dr. 5·73 Miles long. Water not filtered. No settling tank.
7	Gwalior	Work in Progress.	Prospective population 1,50,000 (Present 1,12,000)	Pumping	Do.	30	Proposed 45,00,000	22 lakhs (Estimate)	15	About 7·0	Supply Mains 20 inch Dr. ¾ Mile long. No head works worth the name. Existing irrigation channel from which water is to be drawn runs close to the Purification Plant and Pumps. No settling tank.

Appendix XXIV—(*Contd.*)

Statement showing capital cost and other details of certain water works for comparison of the cost with that of the Trivandrum Water Supply Scheme.

Serial No.	Name of city to which the water works relate.	Year of inauguration.	Present population served (The population for which the scheme was designed is not known).	Whether pumping scheme or Gravitation Scheme.	Consumption of water.			Capital Expenditure to end of March 1924. Rs.	Capital expenditure per head of population including re-organisation.	Area of water supply town sq. miles.	Remarks.
					No. of hours of supply.	Per head per day gallons.	Daily average consumption of all purposes.				
	Trivandrum.	Work just estimated.	Prospective 135,000 present (1931) 95,000	Gravitation.	Continuous.	25 average 33·1/3 in summer.	Proposed 45,00,000	52·60 lakhs (Estimated)	39	11·22	Head work Masonry Dam Supply Mains 8 miles long 33" and 30" Dr. Settling tank provided.
9	Ernakulam	About 1914	35,000	Pumping.	..	15	..	9·0	25¼	..	Supply raising main Diameter not known. Length 10 to 11 miles.

Note.—(1) Information regarding items 1 to 6 taken from Note No. 3 of Mr. F. J Mallet Mechanical Engineer, United Provinces, Public Health Department. Regarding 7, information taken from Notes given by the Water Works Engineer, Gwallior.

(2) In all pumping schemes as items 1 to 5 and 7 the capital cost will be less than gravitation Scheme, though the recurring charges will be very much greater. In these items and item 9, water is pumped direct from the river and there are no impounding dams.

(3) Items 1 to 5 were all carried out from 1890 to 1894 when cost of materials and labour was very much cheaper than at present.

(4) The supply main which is generally an expensive item is of very much shorter length in items 1 to 7 than in Trivandrum.

(5) The cities in items 1 to 7 in North India are all packed closely with houses and densely populated unlike Trivandrum were houses are spread out and not so densely populated. This has a large bearing on Distribution system.

(6) In items 1 to 5 the supply is neither adequate nor satisfactory and hence reorganisations are in progress. So the estimated cost of the reorganisation has also been taken into account in working out cost per head on the present population.

(7) For items 1 to 5 the population for which the schemes were designed is not known.

(8) It is not possible to definitely say whether in items 1 to 7 the cost of construction, establishment and tools and plant is included or not in the capital expenditure given.

Appendix XXV.

Vide Answer to Question No. 160.

Statement by caste, showing, the total number of appointments made by the Census Commissioner.

Brahmin ...	48	Saraswatha Brahmin ...	1
Kshatriya ...	3	Variar ...	3
Nayar ...	194	Nanjanad Vellala ...	7
Goldsmith ...	6	Vanigavaisya ...	4
Telugu Chetti ...	1	Pandaram ...	1
Yadavan ...	2	Barber ...	2
Blacksmith ...	2	Asari ...	10
Arayan ...	4	Ezhava ...	21
Nadar ...	6	Pulaya ...	4
Paraya ...	2	Christian ...	87
Mahomedan ...	11	Washerman ...	2
		Total ...	421

Appendix XXVI.

Vide Answer to Question No. 161.

Statement, by caste, of the officers of His Highness the Maharaja's Colleges of Arts and Science, Trivandrum.

Community to which the officers belong.	The number of officers in H. H. the Maharaja's College of Arts, Trivandrum.	The number of officers in H. H. the Maharaja's College of Science, Trivandrum.
Malayala Brahmins ...	...	2
Other Brahmins ..	14	24
Kshatriyas ...	...	1
Nayars ...	23	7
Catholic Christians ...	2	3
Jacobite Do. ...	2	2
Protestant Do. ...	1	3
Mar Thoma Do. ...	...	2
Ezhavas ...	4	...
Mahomedans ...	3	1
Vellalas ...	2	..
Other communities ...	6	2

Appendix XXVII.

Vide Answer to Question No. 163.

R. O. C. No. 113 of 24/Statistics.

CIRCULAR.

In supersession of all Circulars already issued for the submission of caste-war returns of appointment by Heads of Departments and Offices, the following revised instructions are issued for their guidance :—

(1) Forms of returns now in use may be continued, but instead of monthly returns, quarterly returns only need be submitted to Government in future.

(2) Initial appointments, whether permanent or acting, should alone be entered in the returns. Second or subsequent appointments of the same person to an acting or permanent post should not be so entered. Similarly the appointment of a person from one Department to another should not be entered in the returns. Separate returns should be submitted for permanent and acting appointments.

(3) As it is necessary that there should be uniformity in the classification of castes in all the returns, the following classification should be adopted by all Departments in the preparation of the returns, every person appointed being brought under one or other of these castes :—

(i) Brahmins
(ii) Nayars
(iii) Ezhavas
(iv) Other caste Hindus
(v) Christians
(vi) Mahomedans and
(vii) Other classes

(4) In the first column of the return for entering the number of applications and the caste of applicants, the total number of applications standing on the application register at the beginning of the third month of the quarter covered by the return should be posted caste-war, those revised in the third month being carried to the next quarter and so on.

(5) The returns should be submitted to Government within 15 days after the expiry of the quarter to which they relate after obtaining the returns due from their subordinate officers. Heads of Departments should send a consolidated return to Government. Returns received from their subordinate officers should not be submitted to Government.

(6) Heads of Departments and Offices are also requested to prepare in accordance with the above instructions, one consolidated return for the year 1098 and another for the first three quarters of 1099 and submit them to Government, within three weeks after the receipt of this Circular.

Huzur Cutcherry, Trivandrum, 14th July 1924.

Sd/—R. KRISHNA PILLAI,
Chief Secretary to Government.

To

All Heads of Departments.

Appendix XXVIII.

Vide Answer to Question No. 164.

Statement, by caste, of appointments made by the present (31-10-1105) Dewan Peishkars during their tenure of office.

By whom appointed.		I. Hindus. Brahmins (Malayala.)	Brahmins (Others)	Nadar.	Ezhava.	Kammala	Kshatriya.	Nayar.	Pulaya.	Other depressed classes.	Vellalas.	Other Hindus.	II. Musalmans.	III. Christians. (a) Protestants.	(b) Roman Catholic. Latin rite.	(b) Roman Catholic. Syriac rite.	(c) Syrians. Jacobite.	(c) Syrians. Mar Thoma.	(d) Church of England.	IV. Others.	Remarks.
Mr. S. Paramesvara Aiyar, Dewan Peishkar, Trivandrum (16-8-01 to 31-10-1105).	Acting appointments.	..	2	4	2	..	..	7	..	..	1	1	3	3	..	2*	..	3*	..	..	* The Dewan Peishkar reports that the sub-divisions to which these Christians belong are not ascertainable as they are not in service now
	Permanent appointments.	..	2	2	2	..	...	..	..	..	..	2	..	1	..	2	..	..	..	.	
Mr. S. K. Mahadeva Aiyar, Dewan Peishkar, Quilon.	Acting appointments.	..	1	..	1	1	..	2	..	..	..	..	..	...	..	..	..	1	..	..	
	Permanent appointments.	..	..	..	1	..	..	2	..	..	..	...	..	.	..	..	...	..	..	..	
Mr. R. Krishna Pillai Dewan Peishkar, Kottayam.	Acting appointments.	..	2	..	2	..	..	2	1	..	..	2	1	1	..	1	..	..	..	..	
	Permanent appointments.	...	..	..	2	..	..	2	..	..	..	..	1	..	..	1	1	1	..	..	

THE TRAVANCORE NAYAR REGULATION AMENDMENT BILL.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*): Sir, in pursuance of the leave kindly granted to me by the Government and this House, I beg to introduce a Bill to amend the Nayar Regulation II of 1100.

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): I second it.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*): I beg to move that the Bill be read in Council.

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*): I second it.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*): The Bill with the statement of obejects and reasons was published in the Government Gazette and I hope that copies are already in the hands of the non-official members. My object, as I stated early, is to get Section 41 of the existing Regulation replaced by another Section. I shall now read what that Section 41 is which I am endeavouring to see removed. Section 41 says:

> "Property acquired by gift or bequest from the father or husband before Regulation I of 1088 came into force shall, for the purpose of this Chapter, in the absence of evidence to the contrary, be treated as the Tarwad property of the donee or devisees and of their Thavazhee".

Sir, in the first place my complaint is while into Marumakkatayam properties outright principles of Makkatayam are introduced and even individual partition is sanctioned by law. It is a matter for serious dissatisfaction that Hindu property which is admittedly Makkatayam, the essence and spirit of Marumakkatayam practices and Marumakkatayam instincts have been introduced. While the law has already sanctioned partition of Makkatayam properties, it has also laid down principles governing partition in respect of Marumakkatayam properties. That principle is laid down under Section 22 of the same Regulation.

Section 22 says:

> "Property acquired by gift or bequest by the wife or widow or child or children from the husband or father, as the case may be, after Regulation I of 1088 came into force, shall, unless a contrary intention is expressed in the instrument of gift or bequest, if any, belong to the wife or widow and each of the children in equal shares".

Well, I have no quarrel with that principle at all. All that I desire to do is to have this principle, a very wholesome principle that has been accepted by the Legislature, extended to Makkatayam properties generally. In Section 41 of the Regulation, it is said, that, essentially Makkatayam properties acquired before 1088 should be treated differently from Makkatayam properties acquired after that date. I say that is unfair to the people, and there is a growing sense of grievance amongst the people, owing to that distinction and difference in the right of inheritance. I do not say that it is entirely new. Even under Section 70 of Regulation I of 1088 a Full Bench of the High Court becided that Section conferred complete right of partition of Makkatiyam properties. I do not think that there was a subsequent decision

to the contrary. My purpose here is not to enquire which of these decisions was correct. I am concerned and vitally concerned to point out that the principle of partition of Makkatayam properties has been recognised as early as even 18 years ago. That is the only thing that I wish to emphasise. Now, there is hardly any justification for laying down two sets of devolution for one and the same kind of properties. If it is Makkatayam property it should be governed by some rules of devolution. If Marumakkatayam property let it be governed by another set of rules. We cannot both be Makkatayees and Marumakkatayees at the same time. If there are conflicting decisions of the High Court, the Legislature intervenes to put matters right. I need hardly remind the House that that was at a time when opposition to partition generally was very strong and evidently I was not in the Council at the time. But I was sitting and listening to the debate. I thought that at the closing stage of the Bill there was a disposition for give and take. There were people who were against individual partition and that opposition had to be bought up. Probably they arrived at some compromise with the result that into Makkatayam properties Marumakkatayam principles were introduced, while, into admittedly Marumakkatayam properties, Makkatayam principles were introduced including individual partition. This is the difficulty. The only justifiable reason for doing that was a difference in date. If it was acquired in the last day of the year 1088 it is Marumakkatayam and if after that it becomes Makkatayam. That is a very arbitrary way of making a legal distinction, conferring a legal right on one and the same kind of property. Sir, I do not want to detain the House by saying anything further than that. It might be said that at the time when the property was acquired, by a father, before 1088, there was no sanction for division of property and it was possible that he had not intended that property should ever be divided. But if the property is ever to be divided, the principle that should govern partition has not been settled and in fact probably if the parents were alive, as they have now agreed, to the provision contained in the other Section the natural inference is, they would not have agreed to partition among their own children.

DEPUTY PRESIDENT: That is not the current of decision either in British India or in Travancore. They want to treat it as sub-tarwad properties in which children and grand children of the rightful donor can share equally.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): I am only talking of cases where father or mother is alive or children are alive. If you want to call a property as sub-tarwad property, it has to be divided in certain directions. It should have descended to grand-children through female line of descent. When it has descended to grand-children, it means that the sister's children have begun to inherit the property. I may call that as sub-tarwad property. But in cases where father is alive or the mother is alive or where children are alive, then, this distinction ought not to be made.

MR. A. THANU PILLAI (*Trivandrum*): If only some of these people are alive, what do you say?

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : Certainly, my Bill provides for that. Children of the deceased brothers and sisters might come in their place. I do not want to take away the right of anybody for the reason that he or she is dead. If any person is dead, in his place, his children can come. All that I would say is that if children are alive, property should be treated as Makkathayam and Marumakkathayam principles governing partition as laid down in Section 22 shall apply. That is my object. The reason why I brought a provision like this is there are numerous cases where an intense feeling of despair was felt when divisions were effected. The eldest son of a father has to take shares with sister's children in equal shares. That is extremely insulting to the self respect of a son and also to natural right. No law has any right to do violence or to oppose the principle of moral justice. If a father acquired property, he acquired it for children primarily. If there was no partition at the time, it must be presumed that his object was that the property ought not to be divided. But if a division ever came what is to be done. I ask this Council, whether, the principle laid down under Section 41, does not require re-examination. I do not ask them to do anything more than that. The principle involved in that Section, in view of the social feeling among Nayars, owing to the change of outlook and economic position and other causes, requires a re-examination. There might be people who will be inclined to ask why unsettle the thing that has been settled. If the thing had been settled on right lines, if the law of Makkathayam principle had been applied to the division of properties, the thing would have been settled even at the time the Regulation was in the process of enactment. Mr. Kumara Pillai, Mr. A. G. Menon, Mr. Kochu Kunju Pillai and Mr. M. N. Pillai, all these people moved amendments more or less on the lines of my present Bill. Their endeavours failed owing to the strength of over-powering reason at that time. But I believe it was merely the result of arithmetical division found in the lobbies and I may remind the House the feeling against partition at that time was also very very tense.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Does this apply in the case of partitions already effected?

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : That is only a clerical mistake. Instead of the 1st of Vrischikam "1100" we must put in 1106.

I do not want to interfere with partitions already effected. Neither do I want to interfere with civil suits pending in courts.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): what about suits already instituted?

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): All that I say is, if a father has acquired property, after 1106 Makkathayam principle as embodied in Section 22 should apply for partition.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): That is intended only to help people who are indifferent to get their partition.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): What would happen in the case of those vigilant to see properties partitioned?

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): All right, let them take it.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Will there not be this inequity that persons who got partition before Vrischikam 1106 are at a greater advantage than those who were not fortunate enough to secure partition before that date?

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): That cannot be. Crores of Nayars died before individual partition law was enacted.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Sir, what I wish to ask is, whether the learned member's argument that persons whose properties were partitioned before 1088 were adversely affected by the Regulation of 1088 does not cut at the root of his present argument?

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): I do not understand the member.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Will it not adversely affect certain persons who effected partition immediately before that date?

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Please repeat it.

DEPUTY PRESIDENT: Please note 'nothing herein contained shall affect any partition effected before Vrischikam 1106.'

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): And properties that are the subject of civil suits.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is there any provision for that?

DEPUTY PRESIDENT: He already said that it was a clerical mistake. The Section reads.

> "Provided further if any such property has already been divided amongst the donees or divisees and of their *tavazhis* before the 1st of *Vrischikam 1100*, this provision of the Section shall not apply."

Mr. Madhavan Pillai said that it was a clerical mistake for 1106.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): Then what is the object of clause (*b*) in Section 1. It reads:

> "It shall come into force as if it has been enacted as a part of the Travancore Nayar Regulation II of 1100, that is to say, with effect from the 1st Chingom 1101."

DEPUTY PRESIDENT: It will come into force from the date o which it receives Royal sanction.

We want to have the position clear, Mr. Madhavan Pillai, your idea is, that with reference to Makkathayam acquisition obtained before 1088 if there had en no partition and if partition comes into existence

[Deputy President.]

after 1st Vrischikam 1106, normally the right of division amongst children into equal shares, their descendants taking the share of their ancestors, that rule ought to be enforced. That is the underlying principle of your Bill ?

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : Yes, Sir. You have stated it very clearly than I could do it. Thank you, Sir.

DEPUTY PRESIDENT : Never mind. I was only anxious to understand what exactly your outlook was.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : In Section 1(*b*) it is given :

> " It shall come into force as if it had been enacted as a part of the Travancore Nayar Regulation II of 1100, that is to say, with effect from 1st Chingom 1101.";

DEPUTY PRESIDENT : It is a mistake. He has already admitted it. He conceded, you know, that he really intends to apply the cases where there had been no partition prior to Vrischikam 1106.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : Then, either that clause ought to be deleted or changed.

DEPUTY PRESIDENT : You can point out that criticism in your speech

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): With regard to Section 2, properties have been gifted by a father or husband to their children. In many cases property might have been given to a single child with the object of giving that property to the other children who might have taken their birth along with the children who have been individually given that property. When the intention of the donor was to give property to all the children—

DEPUTY PRESIDENT ; The Bill does not go against that.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : But Mr. Madhavan Pillai says that that the donee alone can get the property.

DEPUTY PRESIDENT : Donee means, not donee, in name in the document, but donee according to the intention of the donor.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : It is not clear from the provision here whether donee in name should get the whole of it or whether all the children who have taken birth from the same mother should enjoy the property as co-owners. That has not been specifically given.

DEPUTY PRESIDENT : What is the present law ?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : It is that all the children should enjoy as co-owners.

DEPUTY PRESIDENT : Does he propose any change in that ?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : No ; it is not clear, Section 41 (1) says :

"Property acquired by gift from the father or husband whether before or after the passing of Regulation I of 1088 shall in the absence of written evidence to the contrary be treated as the property of donees or devisees."

There may be instances in which a single individual might have taken property. If this law is to come into force then other brothers or sisters may not be able to enjoy the property.

DEPUTY PRESIDENT : I do not follow you.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : In some cases the intention of the donor might be to give the property to all children. In many cases, he might have gifted the property in the name of a single individual. If this law is to be enforced by which a single individual in whose name property has been given might take the property, others may not have any right over that property.

DEPUTY PRESIDENT : So, your suggestion is that danger must be provided for?

MR. K. MADHAVAN PILLAI : (*Trivandrum* cum *Neduvangad*) : We will do that in the Select Committee.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : But according to this Section the donee who has been given the property can appropriate it to himself excluding all others.

DEPUTY PRESIDENT : The donee means a person in whose name the deed stands.

MR. A. THANU PILLAI (*Trivandrum*) : Does Mr. Kesava Pillai refer to cases where a gift deed is in the name of the eldest son or eldest daughter alone?

DEPUTY PRESIDENT : His question is whether this Bill takes away the right of all the others. I say it is a question of intention of the donor.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : I think that ought to be made clear. According to Section 41, that has to be clearly put. If this amendment is to be passed into law, then that would unsettle a large number of decisions and recent enactments of the Nayar Regulation of 1100. According to that Regulation properties gifted before 1088 are to be included as sub-tarwads and a large number of families has divided those properties individually. If this Bill becomes Law it would entirely change the position; and divisions already effected would have to be re-done.

DEPUTY PRESIDENT : It has been distinctly provided in this Bill that divisions already effected would not in any be disturbed.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : Hereafter at least, the method of division would have to be changed according to the provision in this Bill.

DEPUTY PRESIDENT : Mr. Madhavan Pillai's position is that, in regard to partitions to be effected hereafter, the property should be divided only among the children of the donor just like Makkathayam property, while the present law is that it must be divided among all the members of the sub-tarwad like Marumakkathayam property.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): But the argument put forward by the mover of this Bill is that the intention of the donor was that the donees alone should enjoy the property. Whether that was the intention or not nobody can say now in cases where such intention has not been evidenced in writing. Therefore, we cannot exactly foresee now how this Bill would work when it becomes law.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): I did not say that the intention of the donor was, as a matter of fact, that the children alone should enjoy the property. What I said was that, in a community which has accepted the Makkathayam principle of inheritance, the law must presume that the intention of the donor, in all cases where such intention has not been evidenced in writing, was that the property should be taken by the children alone. What should be the rule of law for the division of property obtained by gift and bequest, hereafter, in the Nayar community which has accepted the principle of Makkathayam. That is the point that I have enunciated in this Bill.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): What the mover said, as I understood him, was that the intention of the donors was that the children alone should take the property bequeathed.

DEPUTY PRESIDENT: As to what exactly the intention of the donors was is a question of fact to be determined in each case.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): How is that to be determined? There seems to be difference of opinion as to what that intention should be taken to be. Some say that it should be taken to be in favour of the children alone while others say that it should be taken to be in favour of the sub-tarwad.

DEPUTY PRESIDENT: The court will decide that question of fact whenever a dispute arises.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): I think it is a matter which the donor himself must decide.

DEPUTY PRESIDENT: In those cases where the donor has decided and stated clearly as to who should take the property, there will be no dispute at all. The intention of the donor *will* be followed. That is the law; and the present Bill is not going to affect it. But, where such intention of the donor has not been evidenced by the donor himself, if disputes arise as to such intention, the courts will go into the question and decide that question of fact. What this Bill seeks to provide is as to what should be the presumption of law.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): I think it would be better for us to be governed by the principles laid down in the decisions of the High Court. When there are the rulings of the High Court and when there is the present Nayar Regulation which was enacted only very recently, I do not think it advisable for us to unsettle the position and to change the law now in force. I think such a change of the law now governing the community would do great harm to the community.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Suppose property was given by a father to his children on the 1st of Chingam 1090. May I know what, according to the member, should be taken to be the intention of the father in such a case?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): In that case the father would have been aware of the Nayar Regulation of 1088, and our presumption as to his intention should depend upon the provision in the Nayar Regulation of 1088.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Will the member specifically say that in that case the intention of the father was that the children alone should take the property and not the sub-tarwad?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): I am not able to gather exactly what the intention of the father was.

MR. R. RAMAN PILLAI (*Kottayam*): ഈ ബില്ലിൻെറ മൂലതത്വത്തെ എതിക്കാതിരിക്കുവാൻ നിവൃത്തിയില്ലാതെ വന്നതിൽ ഞാൻ അത്യന്തം വ്യസനിക്കുന്നു. എന്നാൽ ബിൽ പ്രയോക്താവിനോടുള്ള ബഹുമാനം വിചാരിച്ചാൽ ഒരക്ഷരവും എതിർ പുറപ്പെടുവിക്കാതെ സ്വീകരിക്കേണ്ടതുമാണ്. ൧൦൮൮-ലെ റഗുലേഷൻ ഉണ്ടാകുന്നതിനുമുമ്പു മരുമക്കത്തായസ്വത്തോ മക്കത്തായസ്വത്തോ ഭാഗിച്ചുകൊടുക്കണമെന്ന് ഒരു മനുഷ്യനും വിചാരമുണ്ടായിരുന്നില്ല. ൧൦൮൯ കർക്കടകം ൩൧-ാംനു-വരെ, തൻെറ ഭാര്യയ്ക്കോ മക്കൾക്കൊ കൊടുത്തിട്ടുള്ള സ്വത്തു ഭാഗിച്ചു കൊടുക്കണമെന്ന് ആർക്കും ഉദ്ദേശമുണ്ടായിരുന്നില്ല.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): ൧൦൯൦-ാമാണ്ട് അങ്ങിനെ വിചാരമുണ്ടായിരുന്നുവോ?

MR. R. RAMAN PILLAI (*Kottayam*): അതു പിന്നീടുപറയാം.

൮൯ കർക്കടകം ൩൧-ാംനു- വരെ അങ്ങിനെ ഉണ്ടായിരുന്നില്ല. ഉണ്ടെങ്കിൽ അതു ദാതാവിൻെറ ഉദ്ദേശം അനുസരിച്ചിരിക്കും. ൧൦൮൮-നു മുമ്പു സകല കരണങ്ങളിലും ഇന്നപ്രകാരത്തിൽ ഇരിക്കണമെന്നു വിവരിച്ചിട്ടില്ലെങ്കിൽ അവയിൽപെട്ടസ്വത്തു സബ് തറവാട്ടുസ്വത്തായിരിക്കണമെന്ന് നിശ്ചയമുണ്ട്. ഒരുത്തൻ അനുഭവിച്ചുവരുന്ന പ്രത്യേക കുഡുംബസ്വത്തു ഹൈക്കോടതിയിലെ ചില വിധികൾകൊണ്ടു സബ് തറവാട്ടുസ്വത്തുപോലെ ആകുന്നുണ്ട്. ഇങ്ങിനെ മരുമക്കത്തായസ്വത്തുപോലെ അനുഭവിച്ചുവരുന്നതു വെസ്റ്റഡ് റൈററായിത്തീർന്നിരിക്കുന്നു. അതുകൊണ്ടാണ് ൧൦൮൮-ലെ നായർ റഗുലേഷനു മുമ്പുള്ള സ്വത്തുക്കളെസംബന്ധിച്ചു മരുമക്കത്തായസ്വത്തുപോലെ തന്നെ ഗണിക്കണമെന്നു പറഞ്ഞിരിക്കുന്നതു്. അതിനുശേഷമുള്ള സ്വത്തിൽ ഭാര്യക്കും മക്കൾക്കും

[Mr. R. Raman Pillai.]

അവകാശമുണ്ടെന്നു വിധി ഉണ്ടായിട്ടുള്ളതായി പറഞ്ഞിരിക്കുന്നു. ജഡ്ജിമാരും മനുഷ്യരായതിനാൽ അവക്കും തെററിപ്പോയി എന്നുവരാം. ലാറിപ്പോർട്ടു ൫൨-ലെ വിധി പൂർവവിധികളെ അനുസരിച്ചു വിധിച്ചിട്ടുള്ളതാണു. അങ്ങിനെ ഇരിക്കെ ൧൧൦൦-ലെ രണ്ടാംറഗുലേഷൻ അതിനെ വ്യവസ്ഥപ്പെടുത്തി നിയമമാക്കി. ഈ ബില്ലിൽ ൧൧൦൦ വൃശ്ചികം ൧-ാനു-മുതൽ ഇഫക്ടിൽവരും എന്നു് എഴുതിയിരിക്കുന്നു. അതു clerical mistake ആണെന്നാണു പറയുന്നതു്. എന്നാൽ മററുള്ള ഭാഗങ്ങളെ നോക്കുമ്പോൾ അങ്ങനെ തെററിപ്പോയിട്ടുള്ളതല്ലെന്നു കാണുന്നു.

DEPUTY PRESIDENT: After his assurance, Mr. Raman Pillai, that it is a clerical error, why do you go into the merits of that question.

"(b) It shall come into force as if it had been enacted as a part of the Travancore Nayar Regulation, II of 1100, that is to say, with effect from 1st Chingam 1101.

MR. R. RAMAN PILLAI (*Kottayam*): അതു് ൧൧൦൧-നു ശേഷമാണു് എന്നു സമ്മതിച്ചിരുന്നു എങ്കിൽ മുമ്പിലത്തെ അഭിപ്രായത്തിനു വിരോധമില്ലായിരുന്നു.

ജനങ്ങളുടെ സുസ്ഥാപിതമായ അവകാശത്തെ തടസ്സപ്പെടുത്തത്തക്കവിധത്തിൽ ഒരു നിയമം ആവിർഭവിക്കുന്നു എങ്കിൽ അതു് ഒരു നിയമം ആയിരിക്കുകയില്ല. സമുദായത്തിലുള്ള ഓരോ അംഗങ്ങളുടേയും ഇടയിൽ നാളതുവരെ വിശ്വസിച്ചുവരുന്നതും അനുഭവത്തിൽ ഇരിക്കുന്നതുമായ വെസ്റ്റഡ്റൈററിനെ ബാധിക്കത്തക്ക ഒരു നിയമം ഉണ്ടാക്കണമെങ്കിൽ ജനസമുദായത്തിന്റെ പൂർണ്ണമായ അഭിപ്രായം എന്താണെന്നു് അറിഞ്ഞതിനുശേഷം മാത്രമെ പാടുള്ളൂ. ഈ ബിൽ പ്രയോക്താവും തിരുവനന്തപുരത്തുള്ള വേറെ ഒരംഗവും ഈ ബില്ലിനു് അനുകൂലമായി പറയുമെന്നല്ലാതെ നൂററിനു് തൊണ്ണൂറിൽ അധികംപേരും പ്രതികൂലികളാണെന്നു് ഈ കഴിഞ്ഞ രണ്ടുദിവസത്തിനകം എന്നോടുപറഞ്ഞിട്ടുണ്ടു്. അതുകൊണ്ടു തിരുവിതാംകൂറിലെ ആകപ്പാടേയുള്ള ജനങ്ങളുടെ അഭിപ്രായഗതി ഈ സംഗതിയിൽ ഏതുവിധമെന്നു് അറിയേണ്ടതാണു്. മാതാവിന്റെ അഭിപ്രായം അനുസരിച്ചുവേണം പ്രവത്തിക്കുവാൻ. പിതാവൊ മാതാവൊ ആരെങ്കിലും ഒരാൾ ജീവിച്ചിരിക്കെ ഇപ്രകാരം ചെയ്കയാണെങ്കിൽ ൧൦൯൯-നു മുമ്പു് അതു സാധുവായിരുന്നു. അതുകൊണ്ടു പിതാവൊ മാതാവൊ ഒരാൾ മക്കൾക്കു കൊടു

ക്കാമെന്നു സമ്മതിക്കുകയാണെങ്കിൽ സാധുവാണെന്നു പറയാം. ടൌൺ വിട്ടതായ സ്ഥലങ്ങളിലുള്ള മരുമക്കത്തായ കുഡുംബങ്ങളിൽ തക്ക വിദ്യാഭ്യാസവും ധനസ്ഥിതിയും ഉള്ള ഭർത്താക്കന്മാരെ നോക്കിയല്ല എടുക്കുന്നതു്. കുഡുംബത്തിന്റെ കുലമഹിമവിടാതെ തിരഞ്ഞെടുക്കണം. തന്നോളം കുലമഹിമ വേറെ ആക്കും ഇല്ലന്നാണു വിചാരം. ധനസ്ഥിതിയും വിദ്യാഭ്യാസവും അശേഷം ഇല്ലാത്ത ധാരാളം ആളുകളെ ഓരോ കുടുംബത്തിലും ഭർത്താക്കന്മാരായി എടുത്തിട്ടുണ്ടു്. ഇവർക്കു് ഭർത്താക്കന്മാരുടെ കുടുംബത്തിൽനിന്നും യാതൊന്നും കിട്ടാനില്ല. ഇവിടെ ധാരാളം സ്വത്തുണ്ടു്. ഈ സ്വത്തു പ്രത്യേകം ആളുവീതം ഭാഗമായിപ്പോയതിനാൽ മിക്കവാറും അനാഥകളായി തീന്നിരിക്കുന്ന നായർസ്ത്രീകളെ ഒന്നുകൂടി അനാഥകൾ ആക്കണമെന്നു് എന്റെ സ്നേഹിതന്മാർ വിചാരിക്കുന്നു എങ്കിൽ അതിൽപരമായ ഒരു ദോഷം തിരുവിതാംകൂറിനു വേറെ വരാനില്ല.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): അതു് എങ്ങനെയെന്നു മനസ്സിലാകുന്നില്ല.

MR. R. RAMAN PILLAI (*Kottayam*): ടൌണിനുവെളിയിലുള്ള ഉൾനാട്ടുകളിൽ വിദ്യാഭ്യാസവും ധനസ്ഥിതിയും നോക്കിയല്ല തങ്ങളുടെ കുടുംബത്തിലെ സ്ത്രീകൾക്കു് ഭർത്താക്കന്മാരെ എടുത്തുവരുന്നതു്. ജാതി, കുലമഹിമ, ബന്ധുത്വം, ഇണങ്ങന്മാർ എന്നിങ്ങനെയുള്ള സ്ഥാനമാനങ്ങളും മുൻ പതിവുകളും നോക്കി മാത്രമാണു് ഭർത്താക്കന്മാരെ സ്വീകരിക്കുന്നതു്. അങ്ങിനെയുള്ള ഭർത്താവിൽനിന്നും ഒരു സഹോദരിക്കു് യാതൊരു സഹായവും കിട്ടാൻ മാർഗ്ഗമില്ല.

പുരുഷന്മാരെപ്പററി പറയുകയാണെങ്കിൽ അവരുടെ സ്വത്തു് വീതിച്ചുകിട്ടുമ്പോൾ ഉന്നതമായ കുടുംബങ്ങളിൽപോയി വിവാഹംചെയ്യുന്നു. ഇവിടെയുള്ള സ്വത്തു കൊണ്ടുപോയി അയാൾ ഉന്നതസ്ഥിതിയിൽ ആയിത്തീരുന്നു. തന്റെ കുഡുംബത്തിലുള്ള സഹോദരിക്കു് സ്വത്തു് ഇല്ലാതിരുന്നാൽ സഹോദരിയുംകുട്ടികളും അനാഥസ്ഥിതിയിലാകും. നായർറഗുലേഷൻ വന്നതിനുശേഷം ഉൾനാട്ടുകളിലെ സ്ഥിതിനോക്കിയതിൽ എന്റെ അനുഭവം ഇങ്ങിനെയാണു് കാണുന്നതു്. അതിനാൽ നായർറഗുലേഷൻനിമിത്തം ഇപ്പോൾത്തന്നെ വലഞ്ഞിരിക്കുന്ന സഹോദരികൾ ഒന്നുകൂടി അപകടത്തിൽ ആകുന്നതിനു് ധാരാളം വഴിയുണ്ടു്.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): അതു് എങ്ങിനെ എന്നു് അറിയുന്നില്ല.

MR. R. RAMAN PILLAI (*Kottayam*): ഇവക്ക് കിട്ടാനുള്ള വസ്തുവിനെ അന്യന് കൊടുക്കണം. സ്ത്രീക്ക് ഒന്നും കിട്ടുന്നില്ല. ഒട്ടവളരെ കുടുംബങ്ങളിൽ പുരുഷന്മാർ ഉന്നതസ്ഥാനങ്ങളിലും ആ പുരുഷൻെറ കുടുംബത്തിലെ സ്ത്രീകൾ വളരെ താഴ്ന്ന സ്ഥാനത്തിലും ആയിട്ടുണ്ട്. സ്ത്രീകൾക്ക് കിട്ടാൻ ഒന്നുമില്ലെന്ന് മാത്രമല്ല, ഉള്ളത് പോകുകയും ചെയ്യുന്നു. അതിനാൽ ദാതാവിൻെറ ഉദ്ദേശം അനുസരിച്ച് പ്രവർത്തിക്കണമെന്നുള്ളതിനെ ഭേദപ്പെടുത്താൻ പാടില്ല. ൧൧൦൦ വൃശ്ചികത്തിൽ ഇതുംകൂടി പാസായതായി ഗണിക്കണമെന്ന് പറയുന്നു. അങ്ങിനെ പാസാക്കണമെങ്കിൽ സമുദായത്തിലുള്ള എല്ലാ അംഗങ്ങളുടേയും ഇതിനെപ്പററിയുള്ള അഭിപ്രായം അറിയണം.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അത് ൧൧൦൩-ൽ ആണെന്ന പറഞ്ഞുവെല്ലൊ.

MR. R. RAMAN PILLAI (*Kottayam*) : അത് പറഞ്ഞു എങ്കിലും ബീ-യും സീ-യും സംബന്ധിച്ച് ഒന്നും പറഞ്ഞിട്ടില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*: അത് ആദ്യത്തേതിൽകൂടി ചേൎന്നുപോകും.

MR. R. RAMAN PILLAI (*Kottayam*): മാതാവൊ പിതാവൊ ഒരാൾ ജീവിച്ചിരിക്കുകയും ആരുടെഎങ്കിലും സമ്മതത്തോടുകൂടി ഈ സ്വത്ത് മക്കൾക്കുതന്നെ വീതിച്ചുകൊടുക്കുകയും ചെയ്താൽ തരക്കേടില്ല. അങ്ങിനെ ഒരാളുടെ എങ്കിലും സമ്മതംഇല്ലാത്തപക്ഷം പാടില്ല.

MR. A. THANU PILLAI (*Trivandrum*) : മാതാവൊ പിതാവൊ ഭാഗിക്കുന്നകാലത്ത് ജീവിച്ചിരിക്കണമെന്നാണൊ പറയുന്നത്?

MR. R. RAMAN PILLAI (*Kottayam*) : ജീവിച്ചിരുന്നാൽമാത്രംപോരാ, അവരുടെ ഉദ്ദേശവുംകൂടി അറിയണം. ഇന്ന ഉദ്ദേശത്തോടുകൂടിയാണ് കൊടുത്തത് എന്ന് ഭർത്താവ് അതിനെപ്പററി ഒരു രേഖ ജനിപ്പിച്ചിരിക്കണം. അങ്ങിനെ ഉണ്ടായിരുന്നാൽ ഭാഗിക്കുന്നതിന് തരക്കേടില്ല.

MR. A. THANU PILLAI (*Trivandrum*): അക്കാലത്ത് പറയുന്ന ഉദ്ദേശം ഏത്, ഇപ്പോൾപറയുന്ന ഉദ്ദേശം ഏത് എന്ന് എങ്ങിനെ അറിയാം?

MR. R. RAMAN PILLAI (*Kottayam*): അതുകൊണ്ടാണ് രേഖപ്പെടുത്തണമെന്ന് പറഞ്ഞത്.

MR. A. THANU PILLAI (*Trivandrum*): കുടുംബസ്ഥിതിയുടെ മാററംകൊണ്ട്, പിന്നീടു ഉദ്ദേശത്തിനു വ്യത്യാസം ഉണ്ടായാലൊ?

MR. R. RAMAN PILLAI (*Kottayam*) : മാതാവും പിതാവും ഒന്നുപോലെ അവരുടെ കുട്ടികളെസംബന്ധിച്ച് വിപരീതമായിവിചാരിക്കുകയില്ല.

DEPUTY PRESIDENT : ചത്തുപോയ മകനെയൊ മകളെയൊ സംബന്ധിച്ച് എങ്ങിനെയാണ് തീരുമാനിക്കുന്നത്?

MR. R. RAMAN PILLAI (*Kottayam*): ജീവിച്ചിരിക്കുന്ന മകന് കിട്ടുമെങ്കിൽ ചത്തുപോയമകനും കിട്ടും.

DEPUTY PRESIDENT : പെൺമക്കളേയും അവരുടെ മക്കളേയുംസംബന്ധിച്ചും ഇങ്ങിനെ കിട്ടുമോ?

MR. R. RAMAN PILLAI (*Kottayam*) : അതു് മുമ്പും കിട്ടുമെന്നുള്ളതാണ്.

DEPUTY PRESIDENT : ഈ റെഗുലേഷൻ അനുസരിച്ച് നടക്കാൻപോകുന്നു എന്നു വച്ചാൽ I suppose children of deceased sons *do* succeed to the estate of the father under the existing law. You must remember that also.

MR. R. RAMAN PILLAI (*Kottayam*) : നിയമപ്രകാരവും അതുണ്ടല്ലൊ ൧൦൮൮-ന് അപ്പുറം അങ്ങിനെ ഇല്ല. മരുമക്കത്തായസ്വത്തുപോലെ വിചാരിച്ച് ഭാഗിക്കണം. അന്ന് സമ്പ്രദായം ഉള്ളു. മാതാവിൻെറ ഉദ്ദേശം അനുസരിച്ച് നടക്കും അല്ലെങ്കിൽ അവരുടെ ഉദ്ദേശം പറയും.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): മരുമക്കത്തായം വരുന്നതിനുമുമ്പ് ആർക്കെങ്കിലും ഭാഗിക്കണമെന്നുള്ള ഉദ്ദേശം ഉണ്ടായിരുന്നോ?

MR. R. RAMAN PILLAI (*Kottayam*) : അന്നും യോജിച്ച് ഭാഗിക്കാമെന്നുണ്ട്. സ്വത്ത് കൊടുത്തയാളിൻെറ ഉദ്ദേശം എന്താണെന്ന് അറിയണം. പിതാവൊ മാതാവോ ഒരാൾ ജീവിച്ചിരിക്കുകയും വേണം. ഈ വിധത്തിൽ ഒരാൾ സമ്മതിക്കുന്നപക്ഷം കൊടുക്കാം.

൧൦൮൮-ന് മുമ്പ് എങ്ങിനെ ഭാഗിച്ചു ൧൦൮൮-ന് ശേഷം എങ്ങിനെ ഇതൊക്കെ ഇപ്പോൾ ശരിയായി പറയാൻ നിവൃത്തിയില്ല മരുമക്കത്തായത്തിൻെറ ചരിത്രമൊ അതിൻെറ വംശാവലിയൊ ഓരോ ശാഖയിലും ഉള്ള അംഗങ്ങൾ എത്ര എന്നൊ ഒന്നുംതന്നെ ഇന്ന് ആർക്കും അറിയാൻപാടില്ല. സുസ്ഥിരമായ ഒരു നിയമത്തെ ഭേദപ്പെടുത്തിയേ ഒരു നിയമം ഉണ്ടാക്കാൻ പാടില്ല. അങ്ങിനെ ഉണ്ടാക്കുന്നു എങ്കിൽ ജനസാമാന്യത്തിൻെറ പൊതുവേയുള്ള അഭിപ്രായം എന്താണെന്നു അറിയണം. ഇത്രയും പറഞ്ഞുകൊണ്ടു ഈ ബില്ലിൻെറ മൂലതത്വത്തെ എതിർക്കുന്നു.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): Sir, I would also oppose the principle of the Bill. Mr. Madhavan Pillai says that his object is that Makkathayam property acquired before Regulation I of 1088 should devolve on the children alone unless a contrary intention is expressed in the instrument of gift. I submit, the law prevailing in the community was Marumakkathayam. Therefore, properties given by the father to his children or by the husband to his wife should take all the incidence of Marumakkathayam property. The instinct of the community has been Marumakkathayam, and therefore the presumption in the case of gifts made in those days ought to be that the incidence of Marumakkathayam law must apply. Certainly, if a contrary intention is expressed in the deed of gift and if it is specifically stated there that the children of the donor should take the property absolutely, there is no objection in the property being divided among the children alone. In the absence of such clear expression of the intention of the donor, the law ought to presume that the property should devolve on the sub-tarwad. I submit that, if the present Bill becomes law, it would work great hardship to the members of the community. It seems to me a very dangerous piece of legislation, because, if this becomes law, courts would be flooded with cases about the origin of properties disposed of by gifts and bequests. Each person will try to trace the origin of each of one of these Makkāthayam properties and try to establish that the intention of the donor was in his own favour. These properties have always taken the incidence of Marumakkathyam properties, and have in many cases actually been divided as such. I will take an illustration. Suppose property has been given before 1088 by a father to his five children, three of whom are males and the other two females; and the females die. The property is now being enjoyed in common by the children of the daughters. If this Bill becomes Law, the children of the sons would now set up a claim for the property now in the exclusive and absolute possession and enjoyment of the daughters' children. We are not here, Sir, to legislate for individual families. As a matter of fact, most of the Nayar families in Travancore have already effected partition. This Bill only induces the rest to rush into courts for partition before this Bill becomes Law. When this Bill becomes Law there would only be a few specific instances in which partition has not been effected. Perhaps this Bill may help a few individuals or individual families. I may gain something if this Bill becomes law, or Mr. Madhavan Pillai may gain something, or some other X or Y may be benefited by this piece of legislation. This Council is not intended for the sake of a few individuals or families. What we have to consider is how it would affect the community as a whole.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): If my friend has no objection to daughters' children putting forth a claim for the property of the grandfather, may I know what objection he has in the sons' children putting forth a claim for such property?

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): In its awakening, the community has realised that Marumakkathayam law is unnatural; the

members of the community felt insulted and ashamed that they were governed by such an unnatural system of law.

MR. MATTHEW MURIKKAN (*Vaikam*): Then, may I know why the member now objects to such a law being made completely Makkatayam?

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): But we cannot give retrospective effect to any piece of legislation. The divesting of vested interests should never be allowed by any legislature. That is why I oppose this Bill. This Bill will give a very dangerous weapon to every litigiously minded fellow in the community to try to trace the history and origin of every property now enjoyed in common by Nayar sub-tarwads according to the incidence of Marumakkathayam law.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): If this Bill becomes law from the 1st of Chingom 1107, may I know from my friend how the question of divesting of vested rights comes in?

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): Under the law as it is at present, the people have certain vested rights. This Bill seeks to divest them of those rights.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): How are such vested rights divested by this Bill becoming law in 1107? That is what I want to know.

DEPUTY PRESIDENT: As he explained, Mr. K. P. Nilakanta Pillai, take the case of a family where partition has not been effected. The property is in the possession and enjoyment of the daughters' children. In such a case, if this Bill becomes law in 1107 or even later, the daughters' children would be divested of their rights which they are actually enjoying.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): Further, in the course of the next few years, even the few families that continue joint now, would effect a partition; and then, there would be absolutely no use or necessity for an enactment of this nature. The very fact that the mover himself now says that he wants this to become law only from 1106 clearly shows that he himself realises the unfairness of the proposal. That is why he wants to postpone the date of its enactment as much as possible. As my friend Mr. Raman Pillai pointed out, the mover, in Clause I (*b*) of the Bill, wants to tack it on to Regulation II of 1100. He wants it to take effect from Vrischigom 1101. I therefore submit that the only effect of this Bill would be to unsettle the settled law now prevailing in the community.

My friend, the mover, in his Statement of Objects and Reasons, says that it is unnatural to presume that the donor would have intended that his property should devolve on the sub-tarwad instead of on his own children. But the whole system of law that we have been used to hitherto was unnatural. It was only recently, when the community awakened, that it felt that the law was unnatural and should be changed immediately. The necessity for changing the law was keenly felt; and it has been changed in a particular way. The community is under the

[Mr. G. P. Nilakanta Pillai.]

impression that there would not be any further change in its law. Under such circumstances, I submit, this Bill is sure to cause serious heart-burning to a large section of the community. Several peaceful Nayars, who now enjoy properties which are theirs under the present law, would feel seriously aggrieved if this Bill is passed into law. Further, as I have already pointed out, there are but a few families in the Nayar community who continue joint; and, a few individual cases should not form the subject of legislation by this Council. I therefore strongly oppose this measure.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I wish to speak a few words on this Bill. I must first of all say that I leave it entirely to the non-official side of the House to support or oppose the principle of it.

MR. A. THANU PILLAI (*Trivandrum*): May I know whether the Official Members are to vote as they like on the motion now under discussion?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is a different matter.

MR. A. THANU PILLAI (*Trivandrum*): Yes; but I wish to know what they are going to do?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The member will know that in due course.

Now, I wish to make a few observations merely to explain the real implications of the Bill. I ventured to speak on it so early because I heard suggestions made here that the Bill would have the effect of divesting vested interests. I did not understand the Bill like that. The Bill provides that, if a property was given or bequeathed before the passing of the Nayar Regulation of 1088, it should be divided among the children where there is no express declaration of the intention of the donor to the contrary, namely where the donor has not expressed his intention in writing that the properties should devolve on the children and their thavazhee.

Now, under Section 41 of the existing Nayar Regulation, property given or bequeathed could be taken by the children alone only when there is an express declaration of the intention of the donor to that effect. In the absence of such expression of the donor's intention, the property devolves on the children and their thavazhee.

DEPUTY PRESIDENT: With reference to property acquired prior to 1088, the existing Nayar Regulation makes a clear distinction.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes; what I am trying to show is that the real question in this Bill would resolve into one of mere evidence and hardly one of substance.

The existing Nayar Regulation provides that property given or bequeathed before the Nayar Regulation of 1088 may be divided among the children alone only where there is the express declaration of the

intention of the donor to that effect; and, in the absence of such express declaration of the donor's intention the property should be divided among the sub-tarwad of the children.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Nedurangad*): The present Bill merely provides that in the absence of any express declaration of the intention of the donor the property must be divided among the children alone and that, if the sub-tarwad should take it there must be the express declaration of the donor's intention to that effect.

MR. A. THANU PILLAI (*Trivandrum*): The question is about the burden of letting in evidence of the donor's intention.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): You may put it like that. What I want to point out is that it is not a cataclysmal or outrageous change that is now sought to be made by the present Bill. It is merely a question of evidence or procedure. According to the present Nayar Regulation, the burden of proving that the intention of the donor was in their favour is on the children. Mr. Madhavan Pillai now proposes in his Bill to shift the burden on to the sub-tarwad. That is all that is proposed to be done. It is that, that the House has to consider when it proceeds to vote upon the Bill.

DEPUTY PRESIDENT: If it is claimed that a particular property was intended by the donor exclusively for the children and grand-children, then it is for them to prove that that was the intention of the donor.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is the law under the Nayar Regulation now in force.

DEPUTY PRESIDENT: That is the law so far as acquisitions made after 1088 are concerned.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): We are not now concerned with acquisitions made *after* 1088. We are concerned with acquisitions made *before* 1088.

As I have already explained, under the Nayar Regulation now in force, the burden of proving the donor's intention is on the children if they claim the property exclusively for themselves in case of property given or bequeathed before 1088. But, Mr. Madhavan Pillai, in the present Bill, provides that the burden of proving the donor's intention, if it is claimed to be in favour of the sub-tarwad should be on the sub-tarwad. The only question now to be considered by the House is whether any case could be made out, or has been made out by the mover of the Bill, for the proposed change in the burden of proof. I am not going to deal with that question now. I only want to point out that that would appear to be the real implication in the Bill. Except the shifting of the burden of proof, which is purely a matter of evidence, there is absolutely no attempt at divesting vested rights or any other serious implication in the Bill.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): In the absence of evidence, does not this Bill divest vested rights?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No. To assume so is to beg the question.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): The question of burden of proof arises only when any evidence is available. In the absence of any evidence, the Law Member has to remember, that the Bill certainly divests vested rights.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): In the absence of evidence, according to the present Bill, the Court will presume, that the property was intended by the donor exclusively for the children. If the sub-tarwad claims the property, it will have to prove, under this Bill that that was the intention of the donor. Under the present Nayar Regulation the presumption of law, in the absence of any evidence, is that the property was intended by the donor for the sub-tarwad; so that, if the children want it exclusively for themselves, they have to prove that that was the intention of the donor. I do not think it has made any fundamental change in the rights. The right is there. If you can establish it, it is alright.

DEPUTY PRESIDENT: In the absence of evidence is there any right?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Under the existing law the children and the grand children will get it.

DEPUTY PRESIDENT: Do you think it is not a specific change?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It may be a specific change. But what is the real effect of it in law?

DEPUTY PRESIDENT: Then there is the question of burden of proof.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It only stands so. If there is an intention that intention must be carried out. This Bill does not propose that the intention should not be carried out. Under the existing law also the intention is proposed to be carried out. Under Mr. Madhavan Pillai's Bill also, it is proposed to be carried out.

DEPUTY PRESIDENT: There is a difference between the two as North Pole to South Pole.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It may be, or it may be but the difference between light and the absence of darkness. I only want to point out that it is not proposed by this Bill to take away vested rights. At any rate it does not purport to The House should consider this aspect of the Bill. I do not say that the Bill does not make any change. It makes *some* change. What I wish to show is the real implications.

The result may or may not be considered to be drastic. The House has of course to consider it and give a judgment. But let it be done on real and not supposed grounds. It is for this reason that I wanted to speak now. I do not say that Mr. Madhavan Pillai's Bill must necessarily be accepted. The House must consider it in all its aspects. Whether the community will be benefited by the change of procedure is one point. Whether it will cause hardships to the community or unsettle the law that has already been settled is also a point. In view of all these and in view of the real implications of the Bill the House has to discuss the provisions and say whether the Bill can be accepted or not.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): Will there be any change in the rule of procedure if it is accepted?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes, there will be.

MR. A. THANU PILLAI (*Trivandrum*): May I know from the member what the presumption would be but for the Regulation I of 1088?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It is a matter of law. If you ask my opinion, Sir, I will say that the father's intention was that the children and the grand-children should enjoy it as a *corporate* property.

DEPUTY PRESIDENT: That is the view of the High Court of Madras, Cochin and Travancore.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): In regard to property acquired even after the passing of the Regulation I of 1088, that should be the intention. That is why I put a question sometime ago. When a person acquires property after 1088 does he think of the law?

DEPUTY PRESIDENT: There may be some fiction.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes, legal fictions. If we go by fictions I do not know where we should stop. Simply because the Nayar Regulation was passed does it affect the intentions of the ordinary human mind?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): Will it affect the law in force?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Not until the law has permiated in the community. Intentions and sentiments cannot be changed by the law.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): Will not the intentions be guided by the law?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No, not perhaps until the law is permiated in the community. We are not merely to go by the decisions of the High Court. In passing a social legislation we have to go with the opinions of the community, and not make a law merely to conform it to the views of the High Court. We pass a law to meet the growing consciousness of the community. If the House thinks that this Bill is for the good of the

[Mr. Kayalam Paramesvaran Pillai.]

community by all means let it pass. I do not say that the House should accept it. I do not want to say the Bill is quite colourless.

MR. A. THANU PILLAI (*Trivandrum*): We wish to hear the views of the Law Member on that point.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not propose to go into that.

MR. A. THANU PILLAI (*Trivandrum*): We wish to have his views as the Law Member of the Council.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That I said.

DEPUTY PRESIDENT: You can make your appeal. If he accepts it, alright.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I thought it my duty as the Law Member of this House in a matter like this which affects the community directly, and in which the Government are not very directly concerned at any rate at this stage, to say what the Bill really proposes to do and what its implications are.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Sir, I rise to oppose the principle of the Bill that has been introduced by my learned friend Mr. Madhavan Pillai. I would not have stood up to support my position by a speech but for the fact that the speech of the learned Law Member has induced me to think that there are certain aspects of this Bill which are likely to be misunderstood. The learned Law Member has been saying that this Bill intends only to alter the procedure, because it is only a question of presumption and burden of proof. Sir, where the intention of the donor is evident from the gift-deed there could be no difficulty as regards that matter. But we find in more than 90 per cent. of the cases that it is not clear from the document whether the donor intended to benefit the sub-tarwad or his children—by children I mean children of the first order. I must say that in such cases this Bill alters the substantive rights of the persons concerned. Because when the intention is not defined Dr. Madhavan Pillai wants the properties of the donor to be divided amongst his sons and daughters alone, while the Regulation, of 1100 clearly says that it is to be considered as sub-tarwad property and that individual partition is to be effected in regard to that property. And so where there is no evidence it is a question of divesting of vested rights.

Then another point which I wish to emphasise is with regard to the date from which the Regulation comes into force. I accept the statement of Dr. Madhavan Pillai that 1100 is a mistake for 1106. Even taking it for granted that it is only to come into force from the 1st Vrischikam 1106, I wish to know how this date was arbitrarily fixed. Now if the persons who are to be adversly divested of their rights by this Bill were to know that Dr. Madhavan Pillai is going to

get a Bill passed by this Council, they would have rushed into courts and sought their remedy. This measure is thrown in the midst of persons who never thought of dividing themselves and who are so attached by affection as well as community of interests. What I wish to add is that if anybody had the chance of dreaming of such a Bill he would have tried to effect partition immediately or they would have sued for the same. Even with regard to that whether suit alone would constitute partition we have not heard the final word.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I suppose we will hear it to-day ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : But that is another Bill. We have not heard of it as yet. So, what I say is that if the present ruling of the High Court is to be unsettled and if my Bill does not become law the thing will be difficult. Persons who have instituted suits for partition and who have not yet obtained final decree are to be affected by this Bill. Is it right and just ? What is the ground for this Bill ?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : May I know how the law is decided according to his Bill ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : I am not talking of my Bill. What I say is that a ruling of the Full Bench of the High Court has been questioned by a single Bench and it is referred to a Fuller Bench. If the Fuller Bench reverses the decision of the Division Bench, * * *

DEPUTY PRESIDENT : So, your arguments are based upon that case.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : No, it is now before a Fuller Bench of five Judges.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : മി. മാധവൻപിള്ളയുടെ ബില്ലിൽ പറഞ്ഞിരിക്കുന്ന സംഗതി ഫുൾബെഞ്ചിൽ ആലോചനക്ക് എടുത്തിരിക്കുന്നു എന്നാണൊ മെമ്പർ പറയുന്നത്?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : അതിനെസംബന്ധിച്ച ഒരു സംഗതി ഈ ബില്ലിൽ ഉണ്ട്. അത് ഫുൾ ബെഞ്ചിൽ ആലോചനയ്ക്കെടുത്തിരിക്കുന്നു. ഈ ബില്ല് അനുസരിച്ച ഇതിൽ ഇരിക്കുന്നത് ന്യായമാണ്.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : ഒററ മറുപടിയായി കിട്ടിയാൽ കൊള്ളാം?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) ; ഒററ മറുപടികിട്ടത്തക്കവിധത്തിൽ ചോദിക്കണം.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): മിസ്റ്റർ മാധവൻപിള്ളയുടെ ബില്ലിൽ പറഞ്ഞിരിക്കുന്നസംഗതി ഫുൾബെഞ്ചിൽ ആലോചിക്കാൻ വച്ചിരിക്കുന്നു എന്നാണൊ പറയുന്നതു്?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): ഇംഗ്ലീഷിൽ പറഞ്ഞതു് മുഴുവൻ ഇനി മലയാളത്തിൽ പറയാൻ കഴിയുകയില്ല. ഇംഗ്ലീഷിൽ പറഞ്ഞതിൽ മുഴുവൻ കാരണങ്ങളും പറഞ്ഞിട്ടുണ്ടു്.

What I wish to remind this House is that even 1st Vrischikam 1106 is an arbitrary date, and that even if this Council considers that the principle of the Bill is to be accepted it should come into force from the date on which it is passed into law.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): The Full Bench decided a case in a particular way. Now my friend says that it is to be decided by a Fuller Bench.

DEPUTY PRESIDENT: What he said was that the matter has not been decided finally. Don't you compare the distinction between the Full Bench and the Fuller Bench, because the law does not recognise a Fuller Bench.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): So, what I say is that the House must not accept the principle of this Bill. Even if it is accepted it must be with the modifications that I have suggested.

MR. V. S. KRISHNA PILLAI (*Tiruvalla*): മി. മാധവൻപിള്ളയുടെ ഭേദഗതി ബില്ലിനെ ഞാൻ അനുകൂലിക്കുന്നു. എന്റെ സ്നേഹിതന്മാരിൽ ചിലർ മരുമക്കത്തായ ക്രമത്തിനു് ഇതു് ചുവടെ അപ്രകൃതമായിട്ടുള്ള ഒന്നാണെന്നു ഇവിടെ പറഞ്ഞു. അങ്ങനെ അപ്രകൃതമായ നിയമത്തെ കഴിവുള്ളതും ഭംഗിയാക്കി പ്രകൃതത്തിനു് അനുസരിച്ചതായ ഭേദഗതിചെയ്യേണ്ടതു് അത്യാവശ്യമാണെന്നു് പറയുന്നതിൽ ആൎക്കും വിപരീതാഭിപ്രായം പറയാൻ സാധിക്കുകയില്ല. പിതൃആൎജ്ജിതമായസ്വത്തു്പിതാവിന്റേയൊ മാതാവിന്റെയൊ സന്താനങ്ങൾക്കു് ഇരിക്കണമെന്നല്ലാതെ തുടൎച്ചയായി അവരുടെ സന്താനങ്ങൾക്കു് ക്രമത്തിനു് പോകണമെന്നു് വിചാരിക്കാൻ യാതൊരുന്യായവും ഇല്ല.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): ൧൦൮൮-ന് ശേഷംഎങ്ങനെയാണു്?

MR. V. S. KRISHNA PILLAI (*Tiruvalla*): കാലനിൎണ്ണയത്തെപ്പററി പറയുന്നില്ല. ചോദ്യങ്ങൾക്കു് പിന്നീടു മറുപടിപറയാം.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): കാലംനിൎണ്ണയപ്പെടുത്തിയശേഷം പറയാമോ?

MR. V. S. KRISHNA PILLAI (*Tiruvalla*): അതുമില്ല.

DEPUTY PRESIDENT: ൧൦൮൮-ന് മുമ്പ് സബ്തറവാട്ട് എന്നു വിചാരിച്ച് ഫുൾബെഞ്ചിൽ തീരുമാനം ഉണ്ടായിട്ടുണ്ട് എന്നു പറഞ്ഞു. ഇപ്പോഴത്തെ നിയമം എങ്ങനെ ആണെന്ന് പറയുന്നു. അത് എങ്ങനേയും ഇരിക്കട്ടെ.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): ൧൦൮൮-ന് ശേഷം അച്ഛൻകൊടുത്തിട്ടുള്ള ദാന ഉടമ്പടി മക്കൾക്ക് മാത്രമല്ല മകളുടെ മക്കൾക്കുംകൂടി കൊടുക്കണമെന്നു വ്യവസ്ഥചെയ്തു കൊടുത്തിട്ടുള്ള പ്രമാണത്തെപ്പററി വല്ലതും അറിയാമോ?

MR. V. S. KRISHNA PILLAI (*Tiruvalla*): അങ്ങനെയും കാണുമായിരിക്കാം. അതുകൊണ്ടാണ് മി. മാധവൻപിള്ളയുടെ ബില്ലിനെപ്പററി ഗാഢമായി ആലോചിച്ചശേഷം ചോദ്യം ചോദിക്കണമെന്ന് പറയുന്നത്. ദാതാവിൻെറ പ്രത്യേകം വ്യവസ്ഥകൾ ഇല്ലാതിരിക്കുന്ന വിഷയത്തിൽമാത്രം ഈ ഭേദഗതിബിൽ അനുസരിച്ച് ചെയ്താൽമതി. ഇങ്ങനെയിരിക്കെ ഈ വിഷയത്തിൽ അനാവശ്യമായ സംശയവും ആവശ്യമില്ലാത്തതർക്കവും കൊണ്ടുവന്ന് ബില്ലിൽ അടങ്ങിയിരിക്കുന്ന അത്യാവശ്യമായഭാഗങ്ങളെ മറയ്ക്കുന്നത് എന്തിനാണെന്ന് മനസ്സിലാകുന്നില്ല. ആ തത്വത്തെ പ്രസ്പഷ്ടമാക്കുന്നപക്ഷം തീർച്ചയായിട്ടും ഈ ബില്ലിന് യാതൊരു വിപരീതാഭിപ്രായവും വരാൻ തരമില്ലെന്നാണ് എനിക്ക് തോന്നുന്നത്.

MR. R. RAMAN PILLAI (*Kottayam*): അതിൻെറ തത്വം എന്താണെന്ന് മനസ്സിലാകുന്നില്ല.

MR. V. S. KRISHNA PILLAI (*Tiruvalla*): ബില്ലിലെ തത്വം, പിതാവിനാൽ ആജ്ജിക്കപ്പെട്ടസ്വത്ത് പിതാവിൻേറയോ മാതാവിൻേറയൊ സന്താനങ്ങൾക്ക് വരണമെന്നല്ലാതെ, പിൻതുടർച്ചയായി കൊടുക്കാൻ പാടില്ല എന്നുള്ളതാണ്. അത് അപ്രകൃതമായതിനാൽ ഭാഗിക്കാൻ പാടില്ല. ഭാഗിക്കണമെങ്കിൽ ദാതാവ് പ്രത്യേകം വ്യവസ്ഥചെയ്തിരിക്കണം. പിൻ തുടർച്ചക്കാർക്കും ഭാഗിച്ചുകൊടുക്കണമെങ്കിൽ ദാതാവ് പ്രത്യേകമായവിധത്തിൽ വ്യവസ്ഥചെയ്തിരിക്കണം. ആങ്ങനെയിരിക്കുന്നസ്ഥിതിക്ക് ഈ ബില്ലിൻെറ തത്വത്തെ എതിക്കുന്നതിൻെറ ഉദ്ദേശം മനസ്സിലാകുന്നില്ല.

MR. R. RAMAN PILLAI (*Kottayam*): ൧൦൮൮-ന് മുമ്പ് ഒരു മാതാവോ, പിതാവോ സമ്പാദിക്കുന്ന......

MR. V. S. KRISHNA PILLAI (*Tiruvalla*): ചോദ്യങ്ങൾക്ക് പിന്നീട് മറുപടിപറയാം.

MR. R. RAMAN PILLAI (*Kottayam*): ഒരാളിന് ആവശ്യമില്ലെന്നു തോന്നുന്നതു് മറെറാരാളിന് ആവശ്യമായിതോന്നുമെന്നുള്ളതു് മെമ്പർക്കറിയാമൊ?

ആവശ്യമായചോദ്യങ്ങൾക്ക് മറുപടിപറയുകയില്ല എന്ന് നിശ്ചയിക്കുന്നതു്—

DEPUTY PRESIDENT: Order, order, he has promised to answer you after he finishes his speech. Naturally his ideas and his line of arguments are upset. His continuity of thoughts should not be disturbed.

MR. R. RAMAN PILLAI (*Kottayam*): ഒടുവിൽ ഇരുന്നുകളയും.

MR. V. S. KRISHNA PILLAI (*Tiruvalla*): മരിച്ചുപോയ സ്ത്രീയുടെ സന്താനങ്ങൾക്ക് ജീവിച്ചിരിക്കുന്നവരുടെ അവകാശത്തെ ഭാഗിച്ചുകൊടുക്കണമെന്ന് പറയുന്നതിൽ എന്തു് ന്യായമാണുള്ളതു്. നായർറഗുലേഷന് പൊതുവെ പററിയിട്ടുള്ള അബദ്ധംപോലെ വരാതെ പുരുഷസന്താനങ്ങളേയും ഇതു് സംബന്ധിക്കുന്നുണ്ടെന്നുള്ളതു് തീർച്ചയാണ്. അങ്ങനെ ഉണ്ടായിരുന്നാൽ സ്ത്രീസന്താനങ്ങളുടെ തുടർച്ചയായ കൂട്ടവകാശം പോകുന്നു. മാതാവും പിതാവും മരിച്ചുപോയശേഷം അവരുടെ അവകാശം അവരുടെ സന്താനങ്ങൾക്ക് പോകേണ്ടതാണെന്നാണ എന്റെ അഭിപ്രായം. ഈ ഭേദഗതിയിൽ ഇതുകൂടി വരുത്തേണ്ടതു് അത്യാവശ്യമാണ്. ഇതു് യുക്തിപൂർവമായി ചെയ്തിട്ടുള്ള ഭേദഗതിയാണെന്ന് എനിക്ക് തോന്നുന്നില്ല. നാട്ടുനടപ്പും ഹൈക്കോടതിവിധികൊണ്ടും മററും സുസ്ഥാപിതമായിരിക്കുന്ന ഒരു സംഗതിയെപ്പററി വിമർശനം ചെയ്യുകയൊ ഗുണദോഷനിരൂപണം ചെയ്യുകയൊ ചെയ്യേണ്ട ആവശ്യമില്ല. അതുകൊണ്ടു് ആ ഭാഗം വിടുന്നു.

ഇപ്പോൾ മി. മാധവൻപിള്ള കൊണ്ടുവന്നിട്ടുള്ള ഭേദഗതിയെ, ഈ സമുദായത്തിന് അപ്രകൃതമായിവന്നുചേന്നിട്ടുള്ള പലകാര്യങ്ങളിൽ ഒന്നിനെ എങ്കിലും ഭേദം ചെയ്തുകിട്ടി എന്നുള്ള ഉദ്ദേശത്തോടുകൂടി, സ്വീകരിക്കുന്നതു് നന്നായിരിക്കും. ഈ ബില്ലിന്റെ തത്വത്തെ മനസ്സിലാക്കിയാൽ........

DEPUTY PRESIDENT: ആ തത്വം എന്താണെന്ന് മനസ്സിലാകുന്നില്ല.

MR. V. S. KRISHNA PILLAI (*Tiruvalla*): നായർ റഗുലേഷനിൽ സമുദായത്തിന് അപ്രകൃതമായിട്ടുള്ള പല സംഗതികളും വന്നുചേന്നിട്ടുണ്ട്.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): എന്താണ് അപ്രകൃതമെന്ന് മനസ്സിലാകുന്നില്ല ?

MR. V. S. KRISHNA PILLAI (*Tiruvalla*): അതിനെപ്പററി പറയുന്നതിനുള്ള അവസരം ഇതല്ലാത്തതുകൊണ്ട് ഒന്നും പറയുന്നില്ല.

ഈ ബില്ലിൽ പറഞ്ഞിരിക്കുന്ന സംഗതിയെ സംബന്ധിച്ചെങ്കിലും പ്രകൃതമാക്കി ഭേദംചെയ്ത് പ്രകൃതം അനുസരിച്ച് കൊണ്ടുവന്നിട്ടുള്ള ഈ ഭേദഗതിബില്ലിനെ ഞാൻ അനുകൂലിക്കുന്നു.

MR. R. RAMAN PILLAI (*Kottayam*): ൧൦൮൮ന് മുമ്പ് ഒരു പിതാവിന്റെ അവകാശത്തെ, തന്റെ ഭാര്യക്കോ, പുത്രനൊ, പുത്രിക്കൊ ആർക്കെങ്കിലുമൊ കൊടുക്കണം എന്നു ഉദ്ദേശവും പതിവും നിയമവും, ഇല്ലാതിരുന്നു എന്നൊ ഉണ്ടെന്നൊ, മെമ്പർ വിചാരിക്കുന്നതു്?

MR. V. S. KRISHNA PILLAI (*Tiruvalla*): മാതാവിന്റെയും പിതാവിന്റെയും ഉദ്ദേശം, സാധാരണയായിനിയമം കൊണ്ടല്ലാ തീർച്ചപ്പെടുത്തിവരാറുള്ളതു്.

MR. R. RAMAN PILLAI (*Kottayam*): പിന്നെ പ്രമാണം കൊണ്ടാണൊ?

MR. V. S. KRISHNA PILLAI (*Tiruvalla*): പ്രകൃതം അനുസരിച്ച് നോക്കുന്നപക്ഷം മാതാവിന്റെയോ പിതാവിന്റെയോ സ്വത്തു് അവരുടെ കുട്ടികൾക്ക് അവകാശപ്പെട്ടിരിക്കണമെന്നല്ലാതെ, മററുപ്രകാരത്തിൽ വിചാരിക്കുവാൻ യാതൊരു ന്യായവും കാണുന്നില്ല.

MR. R. RAMAN PILLAI (*Kottayam*): ആ കാലത്തെനിയമം ഏതു വിധത്തിലായിരുന്നു എന്നാണ് മെമ്പർ വിചാരിക്കുന്നതു്?

MR. V. S. KRISHNA PILLAI (*Tiruvalla*): അതു് നോക്കിപ്പറയാം.

MR. R. RAMAN PILLAI (*Kottayam*): നിയമവിരുദ്ധമായി ഒരാൾ ഉദ്ദേശിച്ചിരിക്കുമൊ?

MR. V. S. KRISHNA PILLAI (*Tiruvalla*): അന്ന് മരിച്ച ആളിന്റെ ഉദ്ദേശത്തെ നിയമപണ്ഡിതന്മാർ വാദപ്രതിവാദം ചെയ്ത് തീർച്ചപ്പെടുത്തുന്നതു് എങ്ങനെയാണ് ?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : ഒരു കാലത്തെ ആചാരവും നടപ്പുംകൊണ്ട്, ഒരാളിന്റെ ഉദ്ദേശം എന്തെന്ന് അറിയാൻ സാധിക്കുന്നതാണൊ ?

MR. V. S. KRISHNA PILLAI (*Tiruvalla*): നാട്ടുനടപ്പും ആചാരവും കൊണ്ട് ഒരാൾ പല വിധത്തിലും ചെയ്യേണ്ടതായിവരും.

DEPUTY PRESIDENT : Do any of you wish to speak ?

MR A. THANU PILLAI (*Trivandrum*): It is two O'clock.

DEPUTY PRESIDENT : I can understand that. I have got the timepiece just before me.

MR. A. THANU PILLAI (*Trivandrum*) : I want to speak. But it is two O'clock.

DEPUTY PRESIDENT : There is no magic in two O'clock. Do you propose to speak ?

MR. A. THANU PILLAI (*Trivandrum*) : I want to speak.

DEPUTY PRESIDENT : And you want to speak after lunch?

MR. A. THANU PILLAI (*Trivandrum*) : Yes.

DEPUTY PRESIDENT : Alright, we will now rise and meet again at quarter to three.

The Council adjourned for lunch at 2 P. M. and re-assembled at 2-50 P. M., the Dewan-President presiding.

SWEARING IN.

The President was sworn in.

THE NAYAR REGULATION AMENDMENT BILL—(*contd.*)

PRESIDENT : The House will continue the discussion of the Bill to amend the Nayar Regulation of 1100.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : Sir, the Amending Bill was published only very recently in the Gazette and the members on this side of the House were unable to invite the opinion of the community on the matter. Therefore I move that the further consideration of the Bill be adjourned under the provisions of Standing Order 26. The debate may be postponed now and continued at a subsequent meeting of the Council.

MR. R. RAMAN PILLAI (*Kottayam*) : I second the motion.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : I have no objection.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I have no objection.

PRESIDENT : The consideration of the Bill stands adjourned.

THE TRAVANCORE PARTITION BILL.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : I move that the Travancore Partition Bill be read in the Council.

MR. V. CHELLAM PILLAI (*Tovala*) : I second the motion.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Sir, in introducing the Travancore Partition Bill for the consideration of the House, I beg to make the following statement as regards the principles of the Bill. In Travancore after the passing of the Nayar,

Ezhava and Nanjinad Vellala Regulations, all the major communities aoe now affected by the law of partition and these Regulations which crnfer the rights of partition upon the particular communities concerned are intended to, enable them to enforce partition when they could not do so by any mutual agreement between the members of the families concerned. Since many years have not passed after the passing of those Regulations, we find that many suits are now pending before the Courts of the State and there is chance of many more suits being instituted. We find that in almost all the families in the State, the question of partition arises once in two or three decades and so a law which regulates the procedure of partition suits has become absolrtely essential. In Travancore the necessity for a partition law has not been keenly felt previously because almost all the major communities in the State excluding Christians were governed by the Marumakkathaym Law which did not allow partition through the Courts of law. That is why we do not find a Partition Act corresponding to the Partition Act in British India of 1893 or the Partition Act in Great Britain and in other countries. Now we find that the right of partition among the Kshatriya and other minority marumakkathayam communities is also being raised in this Council and that is engaging the attention of this House. So a law relating to the procedure has become absolutely essential in the interests of all the communities in the State. That is the reason for my introducing this Bill.

In Travancore the population is about 50 lakhs. The inhabited area is only about 4000 square miles. Hence each individual is entitled only to a few cents of land on the average, and due to the incidence of partition, we find that these holdings have to be subdivided still further which naturally degenerates the economic condition of the country. It will not be possible to carry on agricultural operations efficiently if the holdings are still to be sub-divided, and so it is necessary that where it is found that a particular holding or property could not be sub-divided without detriment to the value of the property some provision must be made for selling the property and distributing the proceeds. That is what is intended by Section 2. There are other cases also in which a property could not be conveniently divided. That also comes under Section 2. Though some provision is made in other Regulations for selling properties and distributing the proceeds thereof, those provisions are not exhaustive and they do not go to the extent to which they should go.

The next provision that is made in this Bill is as regards the Division of a Dwelling House. There also we find that where a dwelling house is to be divided and one of the sharers sells the property to strangers, there will be much difficulty when absolute strangers come to occupy the same building. That also leads to deterioration in the value of the property. And other share holders who occupy the building will find very great difficulty and inconvenience to live with strangers. At present though we find that in many of the families there are family arrangements and properties are enjoyed by different

[Mr. A. S. Damodaran Asan.]

members, there is no provision which enables the members who may have property to get any value for them and there is no provision which makes members who commit waste upon the property liable for the deterioration of the value. I have attempted to make a provision for that also in this Bill. With regard to the partition of properties by Courts now, it is usually entrusted to one or two Commissioners who know very little about the properties to be divided and it is undoubtedly left to the discretion of the Commissioners to divide the property in the best manner they like. I think that it will be better to make a provision which would enable the Courts to make these partitions through delegates consisting of respectable persons of the localities and belonging to the communities concerned. I have made provision for that in section 13.

I have introduced another Section, Section 12, which makes clear the provisions of Section 39 of the Nayar Regulation. Though it is a matter which to a certain extent affects the substantial rights of the parties, I think that it mainly concerns procedure because it affects Section 39 of the Nayar Regulation. A lot of controversy has arisen with regard to the construction of that Section. Even now the law on that point could not be said to be settled. It is highly necessary that the community should have a clear notion of the time at which the members of a family become divided. It is with that object that I have introduced Section 12 into this Regulation.

With these objects, I am introducing this Bill for the consideration of this Council.

MR. R. RAMAN PILLAI (*Kottayam*) : സർ, ഞാൻ പാർട്ടിഷൻ ബില്ലിനെ അനുകൂലിക്കുന്നു. ചെറിയ വസ്തുക്കളുള്ള കുടുംബക്കാർ ധാരാളമുണ്ട്. അങ്ങിനെയുള്ള വസ്തുക്കൾ ഭാഗിക്കുന്ന അവസരത്തിൽ പലപ്പോഴും പല വിഷമങ്ങളും നേരിട്ടിട്ടുള്ളതായി എനിക്കു അനുഭവബോദ്ധ്യമുണ്ട്. ഇങ്ങിനെ ഭാഗിക്കാൻ നിവൃത്തിയില്ലാത്തവണ്ണം ചെറിയവസ്തുക്കൾ ഉണ്ടായിരിക്കയും അതു ഭാഗിക്കേണ്ടതായിവരികയും ചെയ്യുന്ന അവസരത്തിൽ അവയെ വിററ് അതിൽനിന്നും കിട്ടുന്ന ആദായം എല്ലാവരുംകൂടി വീതിച്ചെടുക്കുന്നതിനൊ അല്ലെങ്കിൽ ഭാഗിക്കേണ്ടവരിൽ ആരെങ്കിലുംതന്നെ കോടതി നിശ്ചയിക്കുന്ന വിലയ്ക്കു ഈ വസ്തു എടുത്തു പണം ശേഷമുള്ളവർക്കു കൊടുക്കുന്നതിനൊ ഒരു വ്യവസ്ഥ ചെയ്യുന്നതു നന്നായിരിക്കുമെന്നു തോന്നുന്നുണ്ട്. ആ വ്യവസ്ഥ ഈ ബില്ലിൽ ഉണ്ട്. ചിലർ കുടുംബസ്വത്തുക്കളെ നശിപ്പിക്കുന്നുണ്ട്. ചിലർ വളരെ ബുദ്ധിമുട്ടുകൾ സഹിച്ച് അതിനെ അഭിവൃദ്ധിപ്പെടുത്തുന്നുണ്ട്. ഇങ്ങനെ അഭിവൃദ്ധിപ്പെടുത്തുന്നവർക്കു അതിന്റെ ഗുണവും നശിപ്പിക്കുന്നവർക്കു അതിന്റെ ദോഷവും അനുഭവിക്കാൻ ഇടയില്ലാത്തതുകൊണ്ട്

അനേകം കേസുകൾ കോടതിയിൽ നടന്നുവരുന്നുണ്ട്. അടുത്തകാലത്തുതന്നെ ഒരു വലിയ കുടുംബത്തിൽ ആറുമാസകാലത്തോളം ഭാഗം നടത്തുന്നതിനുവേണ്ടി സ്ഥിരപരിശ്രമം ചെയ്തിട്ടും ഭാഗം നടക്കാതെയിരിക്കയാണ്. അതും ഒരു വ്യവഹാരംകൊണ്ടേ അവസാനിക്കയുള്ളൂ. ഇതുമാതിരിയുള്ള സംഗതിയിലും ഒരു വ്യവസ്ഥ ഈ ബില്ലിൽ കാണുന്നുണ്ട്. പിന്നീട ഭാഗം എപ്പോഴാണ് ഉണ്ടാകേണ്ടത് എന്ന വിഷയത്തെ സംബന്ധിച്ച് അതായതു ഒരു ഭാഗക്കാക്കു അവരുടെ വീതം വസ്തുവിൽ എപ്പോഴാണ് അവകാശം സിദ്ധിക്കുന്നത് എന്നുള്ളതിനെസംബന്ധിച്ച് ഇപ്പോഴത്തെ റഗുലേഷനിൽ ശരിയായ വ്യവസ്ഥയുണ്ടെങ്കിലും ബഹുമാനപ്പെട്ട ഹൈക്കോടതിയിൽ വന്നപ്പോൾ ആ വ്യവസ്ഥയെ അല്പം വ്യതിചലിപ്പിച്ചോ എന്നു തോന്നുമാറു ഒരു വിധി ഉണ്ടാകയും പിന്നീട അതിനു വിപരീതമായി വേറെ ഒരു വിധി ഉണ്ടാവുകയും ചെയ്തിട്ടുണ്ട്. ഇങ്ങനെയുള്ള കേസുകൾ വരുമ്പോൾ മൂന്നു ജഡ്ജിമാരടങ്ങിയ കോടതിവേണം ഇതു തീർച്ചചെയ്വാൻ എന്നും ഹൈക്കോടതി വിധിയുണ്ട്. അതിനെ പരിഹരിക്കാൻ ഒരു വകുപ്പു ഇതിൽ ഉണ്ട്. അന്യായംകൊടുത്തുകഴിഞ്ഞാൽ ഭാഗിക്കുന്നതിനുള്ള ഇടപാടുചെയ്തതായി വിചാരിക്കാമെന്നു പറയുന്നുണ്ട്. എന്നാൽ "Declaration in writing registered" എന്ന വാചകം ചേർത്തിരിക്കുന്നതു ശരിയാണോ എന്നു ഞാൻ സംശയിക്കുന്നു. ഇതു സിലക്ട് കമ്മിററി ആലോചിക്കേണ്ട ഒരു വിഷയമാണ്. ആ ഭാഗം ഒഴിച്ചു ശേഷമുള്ള ഭാഗങ്ങളോടു ഞാൻ യോജിക്കുന്നു.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): കോർട്ടുഫീസ് അടയ്ക്കാൻ വിഷമമുണ്ടെങ്കിൽ ഒരു രജിസ്റ്റർ പ്രമാണത്തിൽ പറഞ്ഞാലും അതു ഭാഗിക്കാം എന്നുവയ്ക്കുന്ന വ്യവസ്ഥ സാധുക്കൾക്കു സൌകര്യമല്ലേ?

MR. R. RAMAN PILLAI (*Kottayam*): അതു സൌകര്യംതന്നെ, എന്നാൽ അതിൽ പല കുഴപ്പങ്ങളും ഉണ്ടാകും.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): രജിസ്റ്റർ പ്രമാണമായാൽ തരക്കേടുണ്ടോ?

MR. R. RAMAN PILLAI (*Kottayam*): കക്ഷിക്കു മനസ്സില്ലാതേയും, പ്രേരകശക്തികൊണ്ടും പ്രമാണം ഉണ്ടാകാം. അതു തെളിയിക്കാനും മററും പ്രയാസമായിരിക്കും. ഇതാണ് എന്റെ അഭിപ്രായം. ഇതു സിലക്ട്കമ്മിററി ആലോചിക്കേണ്ട ഒന്നാണ്.

MR. A. C. KURIAKOSE (*Minachil cum Devicolam*) : മി. ദാമോദരൻ ആശാൻ അവതരിപ്പിച്ചിട്ടുള്ള ബില്ലിനെ എതിർക്കേണ്ടിവന്നതിൽ എനിക്കു വളരെ മനസ്താപമുണ്ട്. "തിരുവിതാംകൂർ പാർട്ടിഷൻബിൽ" എന്നാണ് ഇതിനു നാമകരണം ചെയ്തിരിക്കുന്നതു്. ഈ നാമകരണത്തിൽനിന്നും ഇതു് തിരുവിതാംകൂർ നിവാസികളെ പൊതുവിൽ സംബന്ധിക്കുന്ന ഒരു നിയമമായി രൂപീകരിക്കണമെന്നാണു പ്രയോക്താവിന്റെ ഉദ്ദേശമെന്നുള്ളതു സ്പഷ്ടംതന്നെ. ഈ ബില്ലിന്റെ സാദ്ധ്യകാര്യവിവരണത്തിൽ നായർസമുദായത്തിലും ഈഴവസമുദായത്തിലും ഏർപ്പെടുത്തിയിട്ടുള്ള നിയമത്തിൽ ഉള്ള ചില ന്യൂനതകളെ പരിഹരിക്കുന്നതിനും ഭാഗം സുസ്ഥാപിതമാക്കുന്നതിനുമുള്ള ചില വ്യാഖ്യാനങ്ങൾ ഉണ്ടായിരിക്കേണ്ടതു് ആവശ്യമാണെന്നു തോന്നിയതിനാൽ ഇങ്ങനെ ഒരു നിയമം ഉണ്ടാക്കാൻ പുറപ്പെട്ടതാണെന്നു സ്പഷ്ടമായി പറയുന്നുണ്ട്. തിരുവിതാംകൂറിലെ ഭിന്നസമുദായങ്ങളുടെയിടയിൽഉള്ള സാമുദായികമായ നിയമത്താൽ തിരുവിതാംകൂർ നിവാസികളെ പൊതുവിൽ സംബന്ധിക്കുന്നതും ഇപ്പോൾ നിലവിലിരിക്കുന്നതുമായ നിയമങ്ങളാൽ— അനുവദിച്ചുകൊടുത്തിട്ടുള്ള ഏതാനും ചില അവകാശങ്ങളെ വളരെ അധികം ബാധിക്കുന്നതായ വകുപ്പുകൾ ഇതിൽ ഉണ്ടെന്നാണ് എന്റെ താഴ്മയായ അഭിപ്രായം. ഇപ്രകാരമുള്ള വകുപ്പുകളോടുകൂടി അവസാനമായി ഒരു നിയമം തിരുവിതാംകൂറിൽ ഉണ്ടാക്കിവയ്ക്കുന്നതു് ഒരു വലിയ ഉപദ്രവമായിട്ടാണ് എനിക്കു തോന്നുന്നതു്.

ബില്ലിൽ മൂന്നാമത്തെ വകുപ്പിൽ മൂന്നാമതായി വിവരിച്ചിരിക്കുന്നഭാഗം പ്രത്യേകം ശ്രദ്ധേയമാണ്. ഭാഗം കിട്ടുന്നതിനായി അവകാശപ്പെട്ടു കോടതിയിൽ പോകുന്ന ആൾ, അയാൾക്കു കിട്ടേണ്ട ഭാഗത്തെ സംബന്ധിച്ചു എത്രതന്നെ വിനിയമനം ചെയ്യേണ്ടിവന്നാലും, ആ ഭാഗത്തിന്റെ ഇതര അംശത്തിനു് അവകാശമുള്ളവരാരും, ആ സ്വത്തു വിലയ്ക്കെടുക്കാൻ മുന്നോട്ടു വന്നില്ലെങ്കിൽ, കോർട്ടുചിലവു സഹിച്ചുകൊള്ളണമെന്നു പറയുന്നതു നീതീകരിക്കാവുന്നതല്ല. ഭാഗവിധിപ്രകാരമോ അല്ലെങ്കിൽ വിലയാധാരപ്രകാരമോ ലഭിക്കുന്ന സ്വത്തു കൈകാര്യംചെയ്യുന്നതിനു അവകാശമില്ലാതെയിരിക്കണമെന്നുവരത്തക്കവണ്ണമാണ് ഈ നിയമമെങ്കിൽ പൌരാവകാശം എങ്ങിനെ സംരക്ഷിക്കപ്പെടുമെന്നു ഞാൻ ചോദിച്ചുകൊള്ളുന്നു.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): മൂന്നാമത്തെ വകുപ്പിൽ പറയുന്നതു ഭാഗത്തിനു പോകുന്നയാൾ ചിലവിനുകൊടുക്കണമെന്നല്ല.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*) : വ്യവഹാരത്തിനുപോകുന്നയാൾ വ്യവഹാരച്ചിലവു സഹിച്ചുകൊള്ളണമെന്നു പറയുന്നുണ്ടു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): വ്യവഹാരത്തിൽ വില്ക്കുന്നതാണു കൂടുതൽ സൌകര്യമെന്നുദ്ദേശിച്ചു വ്യവഹാരപ്പെട്ടു സാധിക്കാതെവന്നാൽ ചിലവു സഹിച്ചുകൊള്ളണമെന്നാണു പറയുന്നതു്.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): വ്യവഹാരംകൊണ്ടു വില്ക്കാൻ ആവശ്യപ്പെടുന്ന അവസരത്തിൽ ഇതര അംശത്തിന് അവകാശികളായിട്ടുള്ള അംഗങ്ങൾ ആരും ആ ഭാഗം വാങ്ങിക്കാൻ തയ്യാറില്ലെങ്കിൽ കോടതിച്ചിലവു കേസുകൊടുത്തയാൾ സഹിച്ചുകൊള്ളണമെന്നാണ് വരുന്നതു്. ഞാൻ ഒരുദാഹരണമായിട്ടു പറഞ്ഞു എന്നേയുള്ളു. ഇതൊക്കെ സിലക്ട്കമ്മിററി നല്ലവണ്ണം ആലോചിക്കേണ്ടതാണ്.

പിന്നീടു ബില്ലിൽ ൪-ാമത്തെ വകുപ്പും പ്രത്യേകം ശ്രദ്ധേയമാണ്. അതായതു് ഒരു ഓഹരി ഒരന്യന്റെ കൈവശമിരുന്നാൽ അതു് ഭാഗംകിട്ടേണ്ട ഏതെങ്കിലും അംഗത്തിനു തിരിച്ചുകിട്ടാൻ കേസുകൊടുക്കാമെന്നും, അങ്ങിനെ കേസുകൊടുക്കുമ്പോൾ ആ അന്യൻ എന്തു വിലകൊടുത്തു് അതു വാങ്ങിച്ചുവോ ആ വില പററിക്കൊണ്ടു വസ്തു വിട്ടുകൊടുക്കണമെന്നുമാണ്. ഇങ്ങിനെ ഒരു രാജ്യത്തും ഒരു നിയമവും ഇല്ലെന്നാണ് എനിക്കു തോന്നുന്നതു്. എനിക്കു നിയമപാണ്ഡിത്യമില്ല; സാധാരണ നടപ്പേ നിശ്ചയമുള്ളു. അതുവച്ചുകൊണ്ടു നോക്കുന്നപക്ഷം ഇതു് അന്യായമായിട്ടാണ് എനിക്കുതോന്നുന്നതു്. ഏ കൂട്ടുകുടുംബ ഏർപ്പാടനുസരിച്ചു തനിക്കു കിട്ടിയിട്ടുള്ള ഓഹരി ബി എന്നൊരന്യനു വിലയ്ക്കുകൊടുക്കുന്നു. ബി അതു വാങ്ങിയകാലത്തു് അതിൽ മൺചുവരുകളോടുകൂടിയ ഒരു ഭവനമായിരുന്നു ഉണ്ടായിരുന്നതു്. സമീപത്തു സംരക്ഷിക്കപ്പെടാത്ത കുറെ സ്ഥലവും ഉണ്ടായിരുന്നു. ബി അതിൽ കൽച്ചുവരുകളും മററുമായി ഒരു കെട്ടിടംകെട്ടി സുഖമായിവച്ചുകൊണ്ടിരിക്കുന്നു. അങ്ങിനെയിരിക്കുമ്പോൾ ഏയുടെ കുടുംബത്തിലെ ഓഹരിക്കവകാശമുള്ളതിൽ ഒരാൾ ആ വസ്തു തനിക്കുകിട്ടേണ്ടതാണ് എന്നു കോടതിയിൽ വ്യവഹാരം കൊടുക്കുന്നു. കോടതിയിൽ നിന്നു് ഈ നിയമപ്രകാരം വിധിയും ഉണ്ടായി. ഏതൊരുതുകകൊടുത്തു ബി അതു വാങ്ങിച്ചുവോ ആ തുകയോ അതിൽ കുറഞ്ഞതുകയോ ആണെങ്കിൽ കോ

[Mr A. C. Kuriakose.]

ടതിക്കു കൊടുപ്പിക്കാം. അതിൽ കൂടുതലാണെങ്കിൽ ആ തുക ഈടാക്കി കൊടുക്കാൻ കോടതിക്കധികാരമില്ല. ഇങ്ങിനെയാണ് ൭-ാംവകുപ്പുപോകുന്നതു്. ഈ വകുപ്പുകൊണ്ടു രണ്ടുതരത്തിലുള്ള ഉപദ്രവം ഉണ്ടു്. ഇപ്പോൾ ക്രിസ്ത്യാനികളുടെ നിയമപ്രകാരം ഭാഗവ്യവസ്ഥ കുറെവ്യത്യസ്ഥമായതുകൊണ്ട് ഈ നിയമം ബാധിക്കയില്ലെന്നു വാദത്തിനുവേണ്ടി സമ്മതിക്കാം. എന്നാൽ തിരുവിതാംകൂറിലുള്ള മറ്റുനിവാസികളുടെ അവകാശത്തെ പാടെഹനിക്കുന്നതു് ഒരിക്കലും ശരിയല്ല. ഒരു പിതാവു സ്വസന്താനങ്ങൾക്കു സ്വത്തു വീതിച്ചുകൊടുക്കാതെ മരിച്ചുപോകുന്നു. അതു കഴിഞ്ഞു സന്താനങ്ങൾ തമ്മിൽ സ്വത്തു വീതിച്ച് എടുക്കാൻ ശ്രമിക്കുന്നു. ഇങ്ങനെ നാലോ അഞ്ചോ അംശങ്ങളായി അവർ വീതിച്ചെടുത്തതിന്റെ ശേഷം അതിൽ ഒരാൾ അയാളുടെ വീതം ഒരന്യനു വിലയ്ക്കു കൊടുത്തിട്ടു ബ്രിട്ടീഷ്മലബാറിലേക്കോ മറെറാ പോകുന്നു. അയാൾക്ക് അതിൽ പത്തെഴുന്നൂറു രൂപായായിരിക്കും കിട്ടിയതു്. വാങ്ങിച്ചയാൾ അയാളുടെ സർവസ്വവും കൊടുത്തു വാങ്ങിച്ചിരിക്കാം. അതിൽ അയാൾ ഒരു പുരയും വച്ചുതാമസിക്കുന്നു. ഈ വസ്തു തനിക്കു കിട്ടേണ്ടതാണെന്നു കൊടുത്തയാളിന്റെ കൂട്ടുകുടുംബപ്രകാരം ഓഹരിക്കവകാശമുള്ളവരിൽ ആരെങ്കിലും ഒരാൾ കോടതിയിൽ കേസുകൊടുത്തു വിധി സമ്പാദിച്ചാൽ ഈ വാങ്ങിച്ചയാളിന്റെ സ്ഥിതിയെന്താണ്?

സാധുകുടുംബങ്ങളെ സംരക്ഷിക്കുന്നതിനു ഈ നിയമം ഉതകും എന്നുപറഞ്ഞ ഭാഗം ഞാൻ വിശ്വസിക്കുന്നില്ല. ക്രയ വിക്രയ സ്വാതന്ത്ര്യമില്ലാതെ വസ്തു അനുഭവിച്ചു കൊള്ളണമെന്നു വരുമ്പോൾ ആ വസ്തു പണം കൊടുത്തു വാങ്ങിക്കാൻ ആരും ഉണ്ടാവുകയില്ല. ചുരുക്കത്തിൽ വസ്തു ഉള്ളതുകൊണ്ടു ഒരു പ്രയോജനവുമില്ലെന്നു വന്നുകൂടും.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): കാലഹരണ ദോഷമുണ്ടെന്നറിയാമോ?

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): എത്രകാലത്താണു കാലഹരണദോഷം വരുന്നതു്എന്ന് ഇതിൽ പറഞ്ഞിട്ടില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): കാലഹരണനിയമത്തിൽ വകുപ്പുണ്ടു്.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): അതു പോലെതന്നെ മററനേകം വകുപ്പുകൾ മററു പല നിയമങ്ങളിലും ഉള്ള

സ്ഥിതിക്കു ഈ റെഗുലേഷന്റെ ആവശ്യമെന്താണ്? തിരുവിതാംകൂറിലെ പൌരന്മാരെ പൊതുവെ ബാധിക്കുന്നനിയമമുണ്ട്. അതനുസരിച്ചു പിൻതുടർച്ചാവകാശം സ്ഥാപിച്ചിട്ടുണ്ട്. കോടതികളിലെ വിധികളാൽ ഇതു സുസ്ഥാപിതവും ആക്കിയിട്ടുണ്ട്. അങ്ങിനെയിരിക്കുന്ന സന്ദർഭത്തിൽ തിരുവിതാംകൂറിലെ പൌരന്മാരെ പൊതുവെ ബാധിക്കുന്ന ഈ നിയമത്തിന്റെ ആവശ്യമെന്താണ്. വ്യക്തിസ്വാതന്ത്ര്യത്തെ ഹനിക്കുന്നതുനിമിത്തം പലകുഴപ്പങ്ങളും ഉണ്ടാകും. അതിനാൽ ഈ ബിൽ, ഭയങ്കരമായ ഒരു ഭാവിയിലേക്കു ജനങ്ങളെ നയിക്കുന്നതിനു പര്യാപ്തമായി തീരാവുന്ന ഈ ബിൽ, ഈ നിയമസഭ മുന്നോട്ടുകൊണ്ടുപോകാൻ അനുവദിക്കരുതെന്നും, ഇങ്ങനെയുള്ള ഒരു ബിൽ തിരുവിതാംകൂർ നിവാസികളുടെ പൌരാവകാശത്തിനും ജന്മാവകാശത്തിനും ഹാനികരമാണെന്നും ഉള്ള അഭിപ്രായത്തെ ഇവിടെ പ്രകടിപ്പിച്ചുകൊണ്ടു ഞാൻ ഈ ബില്ലിനെ പാടെ നിഷേധിച്ചുകൊള്ളുന്നു.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : സർ, ഞാൻ മി. ആശാന്റെ ബില്ലിനെ എതിർത്തുകൊള്ളുന്നു. പാർട്ടിഷൻ ബിൽ എന്ന നാമകരണത്തിൽ കൊണ്ടുവന്നിട്ടുള്ള ഈ ബിൽ യഥാർത്ഥത്തിൽ എന്തോ ചില വ്യാജപ്രസ്താവനകളോടുകൂടിയ ഒരു നിയമം നായർറഗുലേഷനിൽ ചേർക്കണമെന്നുള്ള മുൻകരുതലോടുകൂടിയാണെന്നു കാണുന്നുണ്ട്.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : I object to the word "വ്യാജ പ്രസ്താവന."

PRESIDENT : He says that with reference to the objects of the Bill.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ഭാഗം എന്നുള്ളതിന്റെ definition എന്താണെന്ന് ഈ ബില്ലിൽ കാണിച്ചിട്ടില്ല. അതിലേക്കു ഒരു വ്യവസ്ഥ പ്രത്യേകം ചെയ്യേണ്ടതായിരുന്നു. ഈ ബില്ലിൽ പ്രധാനമായി പറയുന്നഭാഗം, ഭാഗിക്കാൻ പാടില്ലാത്ത വലിയ സ്വത്തുക്കളെ ഏതുവിധത്തിൽ കൈകാര്യം ചെയ്യണം; നായർ റഗുലേഷനിലെ ൩൯-ാം വകുപ്പു ഏതുരീതിയിൽ തിരുവിതംകൂറിലെ ജഡ്ജിമാർ മനസ്സിലാക്കണം; എന്നൊക്കെയാണ്.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*changanachery* cum *peermade*): ൩൯-ാം വകുപ്പ് എന്താണ്?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*):വായിക്കാം.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : വ്യാജപ്രസ്താവന ഇതിനകത്തു എവിടെയാണുള്ളത്?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ൩൯-ാംവകുപ്പ് ഇതാണ്.

"Until partition no member of the Tarwad shael be deemed to have a definite share in Tarwad property liable to be seized in execution nor shall such member be deemed to have any alienable or heritable interest therein".

ഈ ൩൯-ാം വകുപ്പിനെതുടൎന്നുള്ള ഒരു വകുപ്പു ൩൩-ആണ്. അതായതു്:

"Subject to the provisions of sections 34, 35 and 36, every adult member of a Tarwad shall be entitled to claim his or her share of the properteis of the Tarwad".

ഈ മൂന്നു വകുപ്പിൽ പറയുന്നതായ സംഗതികളൊഴികെ നായന്മാൎക്കു ഭാഗം കിട്ടാമെന്നാണു പറയുന്നതു്. ഈ വകുപ്പുകളിൽ പ്രസവം മാറിയ ഒരമ്മയുടെ മക്കൾ എന്നു ചില ലിമിറേഷൻസുണ്ടു്. നായർ ബിൽ വാദപ്രതിവാദം നടന്ന അവസരത്തിൽ ഭാഗത്തെ സംബന്ധിച്ചു 'ഫയിനൽ ഡിക്രിയാകുന്നകാലത്തു' എന്നു പറഞ്ഞിട്ടുണ്ടു്. ഫയിനൽ ഡിക്രി എന്നു പറയുന്നതു് അന്യായം കൊടുക്കുന്ന കാലമോ അതല്ലാ യഥാൎത്ഥത്തിൽ ആമീൻ പോയി വസ്തു കൈവശപ്പെടുത്തി കൊടുക്കുന്നസന്ദൎഭമോ എന്നുള്ളതു സംശയത്തിലിരിക്കുന്നു. ഇതിനെ സംബന്ധിച്ചു അനവധി കേസുകൾ നാടൊട്ടുക്കു ഉണ്ടായി. അതിൽ ചിലതുഹൈക്കോടതിയുടെ തീരുമാനത്തിലിരിക്കയാണു്.

MR. R. RAMAN PILLAI (*Kottayam*): വസ്തു ഭാഗിക്കുന്നതു് ആമീൻ ആണോ?

PRESIDENT: When you said 'amins' you meant commissioners?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): Mr. Raman Pillai knows better.

PRESIDENT: What did you mean?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): I meant commissioners.

ഒരു വിധി കൊണ്ടു നായന്മാൎക്കു ജനനാൽ തന്നെ വസ്തുവിൽ അവകാശമില്ലെന്നും, ഭാഗിച്ചു ശേഷമേ ഉള്ളു എന്നും പറയുന്നു. ഒരു സെറുകാർ ഭാഗത്തിനു് അന്യായം കൊടുത്ത തീയതി മുതൽ വസ്തുവിൽ അവകാശമുണ്ടെന്നു പറയുന്നു. മി. ആശാൻെറ ബില്ല് ഇതിലൊരഭിപ്രായത്തോടുകൂടി യോജിച്ചാണു ഇരിക്കുന്നതു്. ഇതിൽ വിപരീതാഭിപ്രായക്കാരും ധാരാളമുണ്ടു്. ഈ രണ്ടഭിപ്രായത്തിലുമുള്ള ഗുണദോഷത്തെപ്പററി ഞാൻ രണ്ടു വാക്കു പറഞ്ഞുകൊള്ളട്ടെ. ഭാഗത്തിനു അവകാശമില്ലാത്തതായ ഒരാൾ അല്ലെങ്കിൽ പ്രസവിക്കാനുള്ള കാലം ഇനിയും

ഉണ്ടായിരിക്കുന്നതായ ഒരമ്മയുടെ മകൻ, ഭാഗം കിട്ടണമെന്നു നോട്ടീസു അയച്ചാൽ ഭാഗിച്ചു കൊടുക്കാമോ പാടില്ലയോ എന്നുള്ള സംഗതി ഏതെങ്കിലും ഒരു കോടതിയിൽ നിന്നും നിയമപ്രകാരം തീരുമാനിച്ചു ശേഷമല്ലാതെ സാധൂകരിക്കാൻ നിവൃത്തിയില്ല. അതുകൊണ്ടു ഒരു രജിസ്റ്റർ നോട്ടീസ് എന്നു പറഞ്ഞിരിക്കുന്നതു ശരിയല്ല. ഭാഗത്തിനായി അന്യായം കൊടുക്കുന്ന തീയതി മുതൽ വസ്തുവിൽ അവകാശമുണ്ടോ ഇല്ലയോ എന്നുള്ള സംഗതിയും കോടതി തീരുമാനിച്ചു ശേഷമേ നിശ്ചയിക്കാൻ തരമൊള്ളു. മി. ആശാന്റെ ബിൽ അനുസരിച്ചു അന്യായം കൊടുക്കുന്ന തീയതി മുതൽ വസ്തുവിൽ അവകാശം ലഭിക്കുന്നു. ആ ആൾക്കു കടമുണ്ടായിരിക്കാം. ഉടനെ കടക്കാരൻ ഈ വസ്തു ജപ്തി ചെയ്തു ഇടുന്നു. ഇയാൾക്കു് ഭാഗത്തിനു് അവകാശമില്ല, ഇയാളുടെ അമ്മയുടെ പ്രസവിക്കാനുള്ള കാലം കഴിഞ്ഞില്ല, എന്നു എതൃകക്ഷി തർക്കിച്ചു തെളിയിക്കുമ്പോൾ ഈ കടക്കാരൻ അപകടത്തിലായി. ഇതുകൊണ്ടാണു വ്യാജപ്രസ്താവനയോടുകൂടിയ ചില വകുപ്പുകൾ ഈ ബില്ലിൽ ഉണ്ടെന്നു ഞാൻ പറയാനിടയായതു്. അതിൽ മി. ആശാൻ എന്നെ തെററിദ്ധരിക്കേണ്ട ആവശ്യമില്ല. അതുകൊണ്ടു നായർ റഗുലേഷൻ ൩൨, ൩൭, ൩൮ ഈ വകുപ്പുകളനുസരിച്ചു വരുന്ന സംഗതിയിൽ ഭാഗം കോടതിയുടെ അവസാന തീരുമാനം വന്നശേഷമേ നടത്താൻ പാടൊള്ളു.

ഇതിനും പുറമേ മി. ആശാന്റെ ബില്ലനുസരിച്ചു തന്നെ ആയാലും, അന്യായം കൊടുക്കുന്ന സമയത്തു് ഒരു സ്ത്രീക്കു ഗർഭം ഉണ്ടായിരുന്നു എന്നു വിചാരിക്കുക. അന്യായം കൊടുത്തു് അഞ്ചോ എട്ടോ മാസം കഴിയുമ്പോൾ ആ സ്ത്രീ പ്രസവിക്കുന്നു. ആ കുഞ്ഞിനു ഭാഗം ഉണ്ടോ ഇല്ലയോ എന്നുള്ള സംഗതിയും വ്യക്തമാകുന്നില്ല. ഇങ്ങനെ പല കുഴപ്പങ്ങളും ഉണ്ടു്. ഹിന്ദു ലാ അനുസരിച്ചു ഇതിനെ സംബന്ധിച്ചു പ്രത്യേകം തീരുമാനമുള്ള സ്ഥിതിക്കു ഈ പതനത്തിൽ ഇങ്ങനെ ഒരു റഗുലേഷൻ കൂടി പാസാക്കി ദുഷിപ്പിച്ചു കളയാതെയിരിക്കയാണു നല്ലതു്.

നായർ റഗുലേഷൻ തന്നെ പല മഹാന്മാരും ബുദ്ധിമുട്ടി നാടൊട്ടുക്കു നടന്നു തെളിവു എടുത്തു് ഉണ്ടാക്കിയതാണു്. ഇതിൽ ൩൯-ാം വകുപ്പു കൊണ്ടു ഉപദ്രവം ഉണ്ടെന്നു ജനങ്ങളുടെ ഇടയിൽ നിന്നു ആക്ഷേപം വന്നതിനു ശേഷമല്ലാതെ ഇങ്ങനെ ഒരു നിയമത്തിന്റെ ആവശ്യമില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*) ഹിന്ദു ലാ അനുസരിച്ചു ഭാഗം എങ്ങിനെയാണു നടത്താവുന്നതു്?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): അതുമെം ബക്കു തന്നെ അറിയാമല്ലോ.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): എങ്ങിനെയാണു്?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): എനിക്കുള്ള സമയം പരിമിതമാണു്.

കൂടാതെ ഒരു ഭാഗത്തു മരുമക്കത്തായം ലാ അനുസരിക്കുന്നവരും ഉണ്ടു്. അനേകം വിധികൾ കൊണ്ടു തന്നെ തറവാട്ടു വസ്തുക്കൾ ജൂനിയർ അംഗങ്ങളുടെ കൈവശം ഇരിക്കുന്നുണ്ടു്. അതു രേഖാമൂലമായ കൈവശാനുഭവമാണോ, അതു ഫാമിലിമാനേജ്മെൻറിനായി വിട്ടുകൊടുത്തിട്ടുള്ളതാണോ, അതല്ല മെയിൻറനൻസിനു കൊടുത്തിട്ടുള്ളതാണോ എന്നൊക്കെ നോക്കണം. തറവാട്ടു സ്വത്തു അഭിവൃദ്ധിപ്പെടുത്തിട്ടുള്ള ആളിനു് എത്ര ആദായം കൊടുക്കണമെന്നു ക്ലിപ്തമായ ഒരു വ്യവസ്ഥമി. ആശാൻെറ ബില്ലു കൊണ്ടും വ്യക്തമാകുന്നില്ല. ട്രസ്പാസേർസുപോലും ദേഹാദ്ധ്വം കിട്ടണമെന്നു പറയുന്നുണ്ടു്. ഇങ്ങിനെ പല കുഴപ്പങ്ങളും ഉള്ളതു കൊണ്ടു ഇതിനെപ്പററി ഒന്നുകൂടി ക്ഷമയോടുകൂടി ആലോചിക്കണം. നായർ റഗുലേഷൻ കൊണ്ടു മിക്കവാറും ഉള്ള കുടുംബങ്ങളൊക്കെ ഭാഗിച്ചു കഴിഞ്ഞു. അതിൻെറ സുഖാസുഖങ്ങൾ ഇപ്പോൾ അനുഭവിച്ചു വരികയാണു്.

ഇതിനും പുറമേ വിശേഷാൽ വകുപ്പുകളിൽ പറയുന്നതു പോലെ ഒരാൾ തറവാട്ടു മാനേജർ എന്ന നിലയിൽ ഇരിക്കുമ്പോൾ തറവാട്ടു വസ്തു വിററുകളഞ്ഞാൽ അയാളുടെ വീതത്തിൽ നിന്നു എടുക്കണമെന്നും മററും പല വകുപ്പുകളും ഉണ്ടു്. ഇപ്രകാരമുള്ള വകുപ്പുകളൊന്നും ആവശ്യമില്ല. ആന തുടങ്ങിയുള്ള ജന്തുക്കളെ ഭാഗിക്കേണ്ട ആവശ്യമൊന്നും ഇപ്പോഴില്ല. എല്ലാവരും യോജിച്ചു ഭാഗിക്കുന്ന പക്ഷം വലിയ വസ്തുക്കളുടെ ഭാഗത്തെ സംബന്ധിച്ചു പ്രത്യേകം ഏർപ്പാടുകൾ ഒന്നും ആവശ്യമില്ല. കോർട്ടുമൂലം ഭാഗം കിട്ടണമെങ്കിൽ അതിലേക്കും കോടതിക്കധികാരം ഉണ്ടു്.

പിന്നീടു കോടതിയിൽ മദ്ധ്യസ്ഥന്മാർവേണമെന്നു പറയുന്നുണ്ടു. മദ്ധ്യസ്ഥന്മാർ കോടതിയേക്കാൾ ഉപദ്രവികളായിരിക്കും. അതു കൊണ്ടു ആ വാദവും ശരിയല്ല.

ഭാഗത്തെ സംബന്ധിച്ചു എല്ലാജനങ്ങളേയും ബാധിക്കാതെ നായർ, ഈഴവർ എന്നീ സമുദായങ്ങളെ മാത്രം ബാധിക്കുന്ന ഒരു വ്യവസ്ഥ

ഉണ്ടാക്കുന്നതു ശരിയല്ല. ഈഴവസമുദായത്തിൽ ഭാഗം നിർബന്ധമായി കാണുന്നില്ല. നായർ സമുദായത്തിൽ ഭാഗം നിർബന്ധമാണ്. അതുകൊണ്ടു ഞാൻ ഈ ബില്ലിന്റെ തത്വത്തെ തന്നെ എതിർക്കുന്നു.

MR. MURUVELIL PACHU PILLAI (*Shertllai*): ഇപ്പോൾ മെംബർ സൂചിപ്പിച്ചതുപോലെയുള്ള കാര്യങ്ങൾ കോടതിയിൽ നിന്നും ഉണ്ടാകുന്ന ചില വിധികളുടെ സ്വഭാവം എന്താണെന്നറിഞ്ഞതിനുശേഷം നിയമം ഉണ്ടാക്കുന്നതിനു ശ്രമിക്കുന്നതു കൊള്ളാമെന്ന് അഭിപ്രായപ്പെട്ടു. എന്നാൽ ഇപ്പോൾ ഇവിടെ സൂചിപ്പിച്ച സംഗതികളെപ്പററി പരസ്പര വിരുദ്ധമായ വിധികൾ ഉണ്ടായിട്ടുണ്ടെന്ന് അറിയാമോ ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): കോടതിയിൽ വരുന്ന കേസുകൾ പ്രത്യേകം ഒരു വാദവിഷയത്തെ സംബന്ധിച്ചായിരിക്കും. കോടതിയിൽനിന്നും അതിനുമാത്രം പായിൻറു ഏർപ്പെടുത്തി തെളിവെടുത്തു വിധി കല്പിക്കാനെ സാധിക്കുകയൊള്ളു. നാം ഇവിടെ പൊതുവേയുള്ള സംഗതിക്കു ഒരു നിയമം ഉണ്ടാക്കുവാനാണ് വിചാരിക്കുന്നതു്.

നായർബിൽ ഇവിടെ വാദപ്രതിവാദം നടന്നകാലത്തു് അതിലെ ൩൯-ാം വകുപ്പു എങ്ങിനെ വ്യാഖ്യാനിക്കണമെന്നു പറഞ്ഞിട്ടുണ്ടു്. ഏതെങ്കിലും കോടതി തിരുവിതാംകൂർ നിയമസഭയെ ബഹുമാനിക്കുന്നുണ്ടെങ്കിൽ, ജഡ്ജ്മെൻറു എഴുതുന്നകാലത്തു് ഇതു നോക്കിയെ എഴുതുകയൊള്ളു.

MR. R. RAMAN PILLAI (*Kottayam*) : നായർബിൽ കൌൺസിലിന്റെ പര്യാലോചനയിൽ ഇരുന്ന അവസരത്തിൽ ഇവിടെ പുറപ്പെടുവിച്ചിട്ടുള്ള അഭിപ്രായമനുസരിച്ചു ജഡ്ജിമാർ വിധി എഴുതണമെന്നാണോ പറയുന്നതു്?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): വിധി എഴുതുമ്പോൾ ഇവിടെ നടന്ന വാദപ്രതിവാദം കൂടി മനസ്സിലാക്കി എഴുതണം.

MR. R. RAMAN PILLAI (*Kottayam*) : അതു നോക്കാൻ പാടില്ല എന്ന നിയമമുള്ളതായിട്ടു മെംബർക്കു് അറിയാമോ?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): സംശയം ഉണ്ടെങ്കിൽ നോക്കാം.

ഇങ്ങനെ ഈ ബിൽ അവശേഷം ഇപ്പോഴത്തെ സ്ഥിതിക്കു യോജിച്ചതല്ലാത്തതുകൊണ്ടു് ഞാൻ ഇതിനെ എതിർത്തുകൊള്ളുന്നു.

MR. A. THANU PILLAI (*Trivandrum*): I rise to support the principle of the Bill. Though in the Statement of Objects and Reasons, Mr. Damodaran Asan refers specifically to the Nayar, and Ezhava Regulations, this Bill, it seems to me, is intended to provide a partition law applicable to all communities and to all cases where partition has to be effected by courts of law. Mr. Damodaran Asan seems to refer to these two Regulations merely to point out the fact that in consequence of the enactment of these Regulations, partition cases have become much more numerous than previously. It is intended to provide by this Bill certain guides to courts of law in disposing of partition suits. I do not see any cause for alarm as Mr. Kuriakose seems to find in this Bill. It merely provides for the selling away of properties where that would seem to be beneficial to the parties *i. e.*, where a holding has to be divided and where it happens to be very small in extent or cannot be divided without making it less useful or when a division would seriously affect its value or utility. In such cases, this Bill provides that the courts can sell away the property. Now it is doubtful whether the courts would be justified in selling away property which is sought to be divided. I do not mean to say that in no circumstances will a court be justified in doing that, but a positive provision to that effect will be of great help to the courts in this matter. That is all that Section 2 seeks to provide. There is already a provision in the Nayar Regulation that such holdings can be sold and the proceeds divided in partition, but clause 2 of this Bill seeks to extend that law to all cases of partition. At any rate, it gives statutory sanction to the courts to do that. In clause 3 it is provided that when a sharer or sharers apply to have a property sold and their portion of the proceeds paid to them, the court may sell the share or shares to other sharers if they are willing to purchase them. That is a very beneficial provision and absolutely no objection can be made to it. According to clause 4, where a shareholder has sold his share and the transferee seeks partition of the property and the property happens to be a dwelling house or land on which there is a dwelling house, the share can be valued and the other shareholders are allowed to purchase that share. That is evidently intended to ensure that owners shall enjoy dwelling houses without any inconvenience to them. That does not apply to the other properties. I was not sure that Mr. Kuriakose did not take it to apply to all properties. It applies to dwelling houses only. As a matter of broad principle, we must not object to any body living in one portion of the house the other portion of which is occupied by any other person. We see in actual practice that strangers, especially strangers belonging to other communities occupy different portions of the same buildings, and the clause relates to such matters.

While on this clause, I may also bring to the notice of the House that it will be for the Select Committee to decide what would constitute a single dwelling house so far as this clause is concerned. The Select Committee may so provide as to make it possible for a sharer to sell it. If it happens that such a thing is not possible, then it should be sold to

people who can occupy the buildings and who can agree with each other. In such cases this clause will be used. The Select Committee should see that the operation of this clause is restricted to where it is necessary and then the fears entertained by Mr. Kuriakose that it would interfere with the personal liberty of the persons in disposing of properties will have no scope.

The next clause is a similar one and refers to a case where one of the co-owners transfers his share. That clause also provides that the other sharers may purchase this share. Of course suitable modifications will have to be proposed to the clause.

Then there are some provisions which are only subsidiary provisions and we come to clause 10. Clauses 10 and 11 relate to cases where a joint family property has been in the possession of co-owners or members of the joint family separately. One branch or individual is in possession of the joint family property. He makes improvements and when the time for partition comes, he claims compensation for the work done in regard to the improvement of the property. Clause 10 provides that he should be given that compensation. As Mr. T. C. Kesava Pillai observed there may be cases where compensation will have to be refused. That will depend upon the conditions under which the person enjoys the property and effects improvements. Suppose under the family arrangement a property is given to him under the specific agreement that he should improve the property in his possession, then he should not be given compensation. Anyhow that is a matter for the Select Committee. It is not in every case that a man who is holding a property separately effects improvements.

The next provision relates to waste and wrongful alienation. In the case of a joint family property how far it can be countenanced is another matter. That will also have to be considered by the Select Committee. When waste is committed and loss thereby accrues to the other share-holders, certainly, that ought to be debited against him and clause 11 makes provision for that. Clause 12, deals with a very controversial matter. Mr. Damodaran Asan refers to Section 39 of the Nayar Regulation. I am not sure whether Mr. Damodaran Asan intends by this clause to limit its operation to the Nayar Regulation alone, or to all cases of partition. I think in this Bill, provision should as far as possible be made in such a way as to be applicable to all cases, whether partition can be claimed by Christians, Mahomedans, or Mithakshara Law Hindus, or Ezhavas. Of course, we know that under the Mithakshara Law, a person will be declared to have become divided from his family or his co-partners much more easily than in the case of a Nayar family. It is doubtful what would constitute partition under the Nayar Regulation. Whether the filing of a suit or passing of a decree, would constitute partition is now a much debated question and as was pointed out here the question is engaging the consideration of the High Court and the matter has not been decided. In the case of the Mithakshara Law Hindu, it is not necessary that the courts should declare a partition. How far we should act in accordance with

[Mr. A. Thanu Pillai.]

the Mithakshara Law or other Laws in the matter is a question for the Select Committee to consider. Clause 12 will have to undergo considerable alteration. Anyhow, that the matter should be settled is clear and when it is done it should as far as possible be made applicable to all cases where partition can be claimed. The reference to Section 39 of the Nayar Regulation will have to be made if at all merely to show how that provision in the Nayar Regulation will be affected. That ought not to find a prominent part in the Section. Those are the alterations the Select Committee will have to make. Then there are subsidiary provisions which provide for the appointment of assessors, etc. These are the only clauses in the Bill. I referred in such detail to these clauses to show that after all there is no cause for alarm so far as this Bill is concerned. It merely wants to make some guides and no principle is likely to be violated by the passing of this Bill. On the contrary, it will be of great help if this Bill is passed into Law. There are several matters in which courts now act without authority. And it will be of great help to them and to the parties who are engaged in litigation and partition, if this is passed with suitable alterations. With these words I support Mr. Damodaran Asan.

MR. P. S. MAHOMED (*Nominated*): സർ, ഈ കൌൺസിലിൻെറ ശ്രദ്ധക്കു വിഷയീഭവിച്ചിട്ടുള്ള മി. ആശാൻെറ ബില്ലിനെ സംബന്ധിച്ചു എനിക്കും രണ്ടു വാക്കു പറയാനുണ്ടു്. മി. ആശാൻെറ ബിൽ നായർ സമുദായത്തേയും ഈഴവസമുദായത്തേയും മാത്രമെ ബാധിക്കയുള്ളു എന്നാണ് ഞാൻ വിചാരിച്ചതു്. എന്നാൽ ഇതു എല്ലാവരേയും ബാധിക്കുന്ന ഒന്നായി കാണുന്നതുകൊണ്ടു് എനിക്കുള്ള അഭിപ്രായംകൂടി പറയാതിരിക്കുന്നതു ശരിയല്ല എന്നു എനിക്കു തോന്നുന്നു. നായർ, ഈഴവർ എന്നീ സമുദായങ്ങളിൽ ഭാഗം നടപ്പിലായിട്ടു കുറെ കാലമേ ആയിട്ടൊള്ളു. അതുകൊണ്ടു ഇങ്ങനെ ഒരു ബില്ലിൻെറ ആവശ്യകത ഉണ്ടെന്നു തോന്നിയതുകൊണ്ടായിരിക്കണം ഈ ബിൽ ഇവിടെ കൊണ്ടുവന്നിട്ടുള്ളതു്. എന്നാൽ മററു നിയമങ്ങളാൽ ഭാഗം അനുവദിക്കപ്പെട്ടിട്ടുള്ള മററു സമുദായങ്ങൾ ഭാഗം നടത്തിക്കൊണ്ടിരിക്കുന്നുണ്ടു്. അവർക്കു് ഇതുവരെ ഇങ്ങനെ ഒരു നിയമം ഉണ്ടാകേണ്ട ആവശ്യകത അനുഭവപ്പെട്ടിട്ടില്ല. ആ നിലക്കു ആവശ്യമില്ലാത്ത സമുദായങ്ങളെ കൂടി ഇതിൽ ചേർക്കേണ്ട ആവശ്യമുണ്ടോ എന്നു കൂടി ആലോചിക്കണം. എന്നാൽ നായർ, ഈഴവ ഈ രണ്ടു സമുദായങ്ങൾക്കും ഇതു ആവശ്യമുണ്ടെന്നു തോന്നുന്നതുകൊണ്ടു ഞാൻ ഇതിൻെറ മൂലതത്വത്തെ എതൃക്കുന്നില്ല. ഈ ബിൽ സിലക്ട് കമ്മിററിയിൽ വരുമ്പോൾ ഇതു് ഏതെല്ലാം സമുദായങ്ങളെ ബാധിക്കണമെന്നുള്ള സംഗതി പ്രത്യേകം വിഷയീഭവിക്കണമെന്നും, ആ സമുദായങ്ങളുടെ അഭിപ്രായം കൂടി അറിഞ്ഞിട്ടെ ഇതു

പ്രാസാക്കാൻ പാടൊള്ളു എന്നും, ഉള്ള എന്റെ അഭിപ്രായത്തെ ഇവിടെ രേഖപ്പെടുത്തിക്കൊള്ളുന്നു.

MR. A. G. MENON (*Parur*): I beg to give my hearty support to Mr. Asan's Bill. I was surprised to hear that Mr. Kuriakose and Mr. Kesava Pillai made speeches opposing the provisions of this Bill. A casual perusal of the provisions of this Bill will clearly show that it is absolutely innocent except one provision regarding the separation of the joint family status. That provision was inserted by Mr. Asan, I think, just to give expression, to what was practically agreed at the time the Nayar Bill was under discussion, namely, that the separation of status will be expressed by a clear wish of the shareholder who wants to get separated from others. From my friends, I now understand, that, there is a difference of opinion as regards the time at which partition takes effect. If I remember correctly, the opinion that was expressed at the time when that Section was framed in the Nayar Bill it will take effect at the time when the share-holder gives clear expression of his intention to separate himself from the family. That is the practical law in the Hindu joint family system. It is assumed that the same law would be followed in deciding Marumakkatayam cases also.

With regard to the other provision of this Bill, namely, as regards dwelling houses, I do not think anybody can object to a provision like that. Nobody would like to propose, even my Christian friends will not like an utter stranger coming and dwelling in a portion of the family house. It may be that, the family house may fall to more than one share-holder and they may live amicably for some time. Perhaps they may fall out and in order to spite one of them, the other man will sell it to a man of a different community. So long as we recognise different castes and communities, we cannot shut our eyes to the difficulty such a situation brings. I think nobody can object, reasonably take any objection for meeting such difficulties as regards partition. There are no provisions in the Bill which require any material change. They are only procedure. I was surprised to hear that my friends Messrs. Kuriakose and Kesava Pillai should have objected to the principle of the Bill on that ground. If any community who wants to be excluded from the operation of this Bill it can be done by the Select Committee or by the Council itself when the Bill comes for discussion. I do not think that Mr. Asan can force a Bill against a community that does not require it. So far as I know both Nayars and Ezhavas do require provisions like this in regard to safeguard their interests in partition.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): We would like to hear the Law Member.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): On a perusal of the Bill it could be seen that the Bill, generally speaking, deals with the procedure to be followed in the partition of the properties liable to partition. Although under the Civil

[Mr. Kayalam Paramesvaran Pillai.]

Procedure Code, Civil courts may have inherent power to effect equitable adjustments in partition of properties it is perhaps better to have some statutory provision dealing with partition. As I understand Mr. Asan's Bill, all that he proposes is that the matter should be considered by a Select Committee, because in the statement of objects and reasons he does not lay down any specific principle of partition and I take it he will be quite satisfied that the matter is considered deeply by the Select Committee, so that this House will again have ample time and opportunity for a thorough consideration of the porovisions of the Bill.

There is however one provision which is controversial, and, that is Section 12 of the Bill. That also relates in some sense to a matter of procedure. I know as a matter of fact, that, that is a question on which much controversy and perhaps much heat may be generated in its disposal. That is a matter mainly for the non-official members of the House to decide. And that is, whether the divided status should be effected by filing a suit or the issue of notice or any registered declaration and so on. It seems to me there is no objection in that also being considered by a Select Committee.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I have to make only one or two observations in reply to Mr. Kuriakose and Mr. Kesava Pillai. My friends, Mr. Mahomed also included, were doubting whether this Bill is intended for all communities, or, whether, it is intended for Nayars and Ezhavas. What I have said is that the Bill is intended, as a general law of procedure, for partition, and in the statement of objects and reasons, I have just referred the Nayar and Ezhava Regulations, just to show the urgency of such a measure which deals with the procedure of partition. Of course, if Mr. Mahomed or Mr. Kuriakose thinks that their community does not like to have such a procedure for partion, I have no objection in excluding those communities. But, the sense of the community has to be ascertained. With regard to that matter, that could be done if necessary by the Select Committee.

With regard to Section 12 about which even the Law Member fears that some heat is likely to be generated at the time of discussion, I have put in a clause which appeared to me to be most suitable to meet the present situation in consononce with the opinion of the community. Of course the Select Committee is free to amend and improve the Bill in any form it desires. I find that certain measures in the Section as drawn up will have to be improved only by the Select Committee at its sittings.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): Is it not more appropriate to bring such provisions in an Amendment Bill?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Even at the first stage I stated that I consider it to be a question mainly of procedure, though it might distinctly affect substantive rights. A similar question was raised this morning in Mr. Madhavan Pillai's Bill

when it was considered. I consider it only to be a question of procedure. So I have introduced that Section here. If the Select Committee thinks that alteration is necessary in that Section I have no objection. Anyhow the community must know where it stands and how and when partition is effected or when the status becomes divided. I do not think that it is inappropriate to have such a Section in this Bill.

Then Mr. Kesava Pillai and others were saying that divided status at the time of instituting a suit is very hard. As far as my knowledge goes, I think, amongst the Christians as soon as a father dies, right of division exists and even in Hindu Law when intention is declared there is division of status and the only Regulation where there is some ambiguity as regards the time at which division is effected is the Nayar Regulation. That is why I have made a specific mention about it.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ഈഴവറഗുലേഷനിൽ ഇങ്ങനെ ഒരു വകുപ്പുണ്ടോ?

MR. A. S. DAMODARAN ASAN (*Maveliara* cum *Kartikapalli*): ഈഴവറഗുലേഷനിൽ അങ്ങിനെ ഒരു വകുപ്പില്ല.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ജനനംകൊണ്ടു തറവാട്ടു സ്വത്തിൽ അവകാശമുണ്ടോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): പഴയ മരുമക്കത്തായം ലാ അനുസരിച്ച് അവകാശമില്ല.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): മി. ആശാന്റെ ഫാമിലിയിൽ മി. ആശാനു എത്ര അവകാശമുണ്ടെന്നു പറയാമോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അതുപോലെയുള്ള സംഗതികൾ അറിയാനാണ് ഈ ബിൽ ഇവിടെ കൊണ്ടുവന്നിരിക്കുന്നത്. ഒരാൾ ഭാഗത്തിനായി കേസുകൊടുത്തു ൧൦ കൊല്ലം കഴിഞ്ഞാണ് ഭാഗം ഉണ്ടെന്നു തീരുമാനിക്കുന്നതെങ്കിൽ അയാൾക്ക് അതു കിട്ടണം.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): അതു ലാസ്ഡിലേസ് കമ്മീഷണരോടു പറഞ്ഞാൽ പോരെ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): അതുകൊണ്ട് സാധിക്കുമെന്നു തോന്നുന്നില്ല. വേണമെങ്കിൽ പരാതി പറഞ്ഞുകൊള്ളണം. എങ്കിലും ഞാൻ അതു നിശ്ചയിച്ചിട്ടില്ല.

Mr. Kuriakose was saying that it affects the fundamental rights of the citizens and my friend Mr. Thanu Pillai has answered the questions raised by him and so I do not want to take up the time of the House by giving further answers to the points raised by my friends in the course of the discussion.

PRESIDENT: The principle of the Bill is now before the House. Whether the House accepts the principle of the Bill has to be ascertained. Those who are in favour of the principle of the Bill will please raise their hands.

A large number voted for the motion.

The motion was carried.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I move that the Bill be referred to a Select Committee consisting of the Law Member and the Mover and the other members.

PRESIDENT: That need not be said now.

MR. A. G. MENON (*Parur*): I second it.

The motion was carried.

The Secretary to the Council then read the title of the Bill.

A BILL TO AMEND THE LAW RELATING TO INHERITANCE AND SUCCESSION AMONG MUSLIMS OF TRAVANCORE.

MR. P. S. MAHOMED (*Nominated*): മുസ്ലിമീങ്ങളുടെ ദായക്രമത്തെ സംബന്ധിച്ചു ഒരു ഭേദഗതിബില്‍ ഈ കൌണ്‍സിലില്‍ വായിക്കണമെന്നു ഞാന്‍ അഭിപ്രായപ്പെടുന്നു.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): ഞാന്‍ അതിനെ പിന്‍താങ്ങുന്നു.

MR. P. S. MAHOMED (*Nominated*): സര്‍, ഈ രാജ്യത്തുള്ള മുസ്ലിമീങ്ങളില്‍ ഭൂരിപക്ഷവും മററുദേശത്തെ മുസ്ലിമീങ്ങളെപ്പോലെതന്നെ മഹമ്മദന്‍ലാ അനുസരിച്ചു ദായക്രമം, പിന്‍തുടച്ചാവകാശം, ഇവയില്‍ പ്രവൃത്തിക്കുന്നവരാണു്. ദായക്രമത്തെസംബന്ധിച്ചു മഹമ്മദന്‍ലാ മററു നിയമങ്ങളെ അപേക്ഷിച്ചു സ്തുത്യര്‍ഹമായിട്ടുള്ളതാണെന്നു പലരും അഭിപ്രായപ്പെട്ടിട്ടുള്ളതായി എനിക്കറിയാം. ഈ രാജ്യത്തു അപൂര്‍വം ചില മുസ്ലിമീങ്ങള്‍ പരമ്പരയായി മരുമക്കത്തായലാ അനുസരിച്ചു നടന്നുവരുന്നതായികാണുന്നുണ്ടു്. അവര്‍ക്കു മരുമക്കത്തായം ലാ വിട്ടു മഹമ്മദന്‍ ലായിലേക്കു കടക്കണമെന്നുള്ള ആഗ്രഹം ക്രമത്തിലധികമായിട്ടുണ്ടു്. എന്നു മാത്രമല്ല പരിഷ്കാരം കൂടിവരുന്തോറും മരുമക്കത്തായം പരമ്പരയായി ആചരിച്ചുവന്നിരുന്ന ആളുകള്‍കൂടി മക്കത്തായം വേണമെന്നു ആഗ്രഹിച്ചു പ്രവൃത്തിച്ചുവരുന്ന ഈ സന്ദര്‍ഭത്തില്‍ ന്യായമായരീതിയില്‍ മക്കത്തായത്തെസംബന്ധിച്ചു് നിയമമുള്ള മുസ്ലിമീങ്ങളില്‍ ഒരുകൂട്ടര്‍ മരുമക്കത്തായം വിട്ടു മഹമ്മദന്‍ലാ അനുസരിച്ചുള്ള മക്കത്തായത്തിലേക്കു കടക്കണമെന്നു ആഗ്രഹിക്കുന്നുണ്ടെങ്കില്‍ അതു് ഒരുവിധത്തിലും തടയാന്‍ പാടുള്ളതല്ല. അവരുടെ പ്രതിനിധികള്‍ പ്രജാസഭയില്‍ വന്നപ്പോള്‍ അതില്‍ പല

ങ്ങം ഈ വിവരം ഗവണ്മെൻറിനെ ധരിപ്പിക്കയും ഗവണ്മെൻറു മുസ്ലീം മെമ്പർതന്നെ ഇങ്ങനെ ഒരു ബിൽ കൌൺസിലിൽ അവതരിപ്പിക്കട്ടെ എന്നു മറുപടിപറയുകയുംചെയ്തു. അതുകൂടാതെ പലയോഗങ്ങളുംകൂടി നിശ്ചയങ്ങൾ പാസാക്കി അവരുടെ ആഗ്രഹം ഗവണ്മെൻറിനെ അറിച്ചിട്ടും ഉണ്ട്. അവരുടെ ആഗ്രഹം പ്രവൃത്തിപദ്ധതിയിൽ കൊണ്ടുവരിക എന്നുള്ള ഒരു ചുമതല മാത്രമേ ഞാൻ ഇപ്പോൾ നിർവഹിക്കുന്നുള്ളു. ഇപ്പോൾ മരുമക്കത്തായം അനുഷ്ഠിക്കുന്ന മുസ്ലിമീങ്ങളെ മഹമ്മദൻലായുടെ പരിധിയിൽ ചേർക്കണമെന്നുമാത്രമേ ഞാൻ ഈ ബില്ലുകൊണ്ടു ഉദ്ദേശിക്കുന്നുള്ളു. അതിനാൽ ഇതിലേക്കു വലിയപ്രസംഗം ഒന്നും ആവശ്യമില്ല. ഈ ബിൽ അവതരിപ്പിക്കുന്നതിനു അനുവാദംകൊടുക്കണോ വേണ്ടയോ എന്നു ഗവണ്മെൻറു ഗസററിൽ പരസ്യം ചെയ്യുകയും ഇതിനെ അനുകൂലിച്ചു പല അപേക്ഷകളും ഗവണ്മെൻറിലേക്കു വരികയുംചെയ്തിട്ടുണ്ട്. ഒരൊററകുഞ്ഞുപോലും ഇതിനെ എതിർത്തിട്ടില്ല. ഇതിൽ പ്രത്യേകമായി ഒരു വാദവിഷയം വരുന്നതു തറവാട്ടുസ്വത്തുക്കളെ ഏതുരീതിയിൽ പരിഗണിക്കണമെന്നുള്ളതാണ്. അതിനെസംബന്ധിച്ചു ഞാൻ ഈ ബില്ലിൽ ഒന്നുംതന്നെ പറയാതിരിക്കുന്നതിനുള്ള കാരണം, ഇതു് സിലക്ട്കമ്മിററിയിൽവന്നശേഷം തറവാട്ടുസ്വത്തുള്ള ആളുകൾക്കുകൂടി ദോഷം വരാത്തവിധത്തിൽ എന്തെങ്കിലും ചെയ്യാമെന്നുള്ള ഉദ്ദേശമാണ്.

MR. A. THANU PILLAI (*Trivandrum*) : തറവാട്ടുസ്വത്തുക്കളെപ്പററി വ്യവസ്ഥ ഒന്നും വേണ്ടാ എന്നാണോ പറയുന്നതു്?

MR. P. S. MAHOMED (*Nominated*) : പ്രത്യേകമായി ഇതിൽ പറയാത്തതു് സിലക്ട്കമ്മിററിയിൽ വരുമ്പോൾ വേണ്ടവിധത്തിൽ ചേർത്തുകൊള്ളാമെന്നുള്ള ഉദ്ദേശംകൊണ്ടാണ്.

MR. A. THANU PILLAI (*Trivandrum*) : ഇപ്പോഴത്തെ നിലയ്ക്കു തറവാട്ടുസ്വത്തുക്കളെസംബന്ധിച്ചല്ലെ കൂടുതൽ വ്യവസ്ഥവേണ്ടതു്?

MR. P. S. MAHOMED (*Nominated*) : അല്ല. എന്തുകൊണ്ടെന്നാൽ ആ പ്രദേശത്തു തറവാട്ടുസ്വത്തുള്ളവരെക്കാൾ അധികം സ്വന്തസമ്പാദ്യമുള്ളവരാണുള്ളതു്. തറവാട്ടുസ്വത്തു രണ്ടുമൂന്നുകുടുംബത്തിലേക്കേ ഉള്ളു. ആ രണ്ടുമൂന്നുകുടുംബത്തിലേക്കു ദോഷംവരാതിരിക്കത്തക്കവണ്ണം ഏതെങ്കിലും ഒരു വ്യവസ്ഥചെയ്താൽമതി. അവരാരും ഇതിനെ എതിർത്തിട്ടില്ല.

MR. A. THANU PILLAI (*Trivandrum*) : ഇങ്ങനെ മരുമക്കത്തായം ആചരിക്കുന്ന കുടുംബക്കാർ എത്രയുണ്ടു്?

MR. P. S. MAHOMED (*Nominated*) : ൨൦൦ വീട്ടുകാർ കാണും. ഇവരൊക്കെ ഇടവാ, ഓടേററ്, പരവൂർ ഈ സ്ഥലങ്ങളിലുള്ളവരാണ്,

[Mr. P. S. Mohomed.]

ഇവർ വളരെക്കാലംകൊണ്ടു നിലവിളിച്ചതിന്റെ ഫലമായിട്ടാണ് ഈ ബിൽ ഇവിടെ കൊണ്ടുവന്നിട്ടുള്ളതു.

MR. A. THANU PILLAI (*Trivandrum*) : മഹമ്മദൻലാ അനുസരിച്ചു ഒരു പ്രകാരത്തിലുള്ള ദായക്രമമേയൊള്ളോ?

MR. P. S. MAHOMED (*Nominated*) : ഒന്നേയൊള്ളു.

MR. A. THANU PILLI (*Trivandrum*): ഷീയാസ് എന്ന വർഗ്ഗക്കാരുടെ ദായക്രമം എങ്ങിനെ?

MR. P. S. MAHOMED (*Nominted*): ഷീയാസ് എന്നൊരുവർഗ്ഗംതിരുവിതാംകൂറിലില്ല. മഹമ്മദൻലാ എല്ലാ മഹമ്മദീയരേയും ബാധിക്കുന്ന ഒന്നാണ്. ഷാഫി, ഹനഫി ഇവക്കൊക്കെ ഒരു ദായക്രമമാണ്. ഷീയാവിനുമാത്രം കുറച്ചു വ്യത്യാസമുണ്ടു്. എങ്കിലും അവരും മഹമ്മദൻലായിൽ ഉൾപ്പെടും.

MR. A. THANU PILLAI (*Trivandrum*) : അവരെക്കൂടി ഇതിൽ ചേർത്താൽ എങ്ങിനെയാണ്?

MR. P. S. MAHOMED (*Nominated*) : മഹമ്മദൻലായിൽ ഇവരെ എല്ലാവരേയുംപററി പറയുന്നുണ്ടു്. ഞാൻ പറഞ്ഞ സ്ഥലങ്ങളിലുള്ളവർ ഒക്കെയും സുന്നികളാണ്.

PRESIDENT : I believe what Mr. Mahomed means is that even among Marumakkathayam Mahomedans there may be Shiyas and Sunnis and whether they are Shiyas or Sunnis, Mahomedan Law may be applied but not Marumakkatayam law. Is it right, Mr. Mahomed?

MR. P. S. MAHOMED (*Nominated*) : Yes, Sir.

MR. A. THANU PILLAI (*Trivandrum*) : ഷീയാവിനും സുന്നിക്കും തമ്മിലുള്ള വ്യത്യാസമെന്താണ്? അതായതു് ഒരാൾ ഷീയാ വേറൊരാൾ സുന്നി എന്നുപറഞ്ഞാൽ എന്താണ് ഞാൻ മനസ്സിലാക്കേണ്ടതു്?

MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): മഹമ്മദൻലാ പഠിച്ചാൽ ഇതൊക്കെ മനസ്സിലാവുകയില്ലേ?

MR. P. S. MAHOMED (*Nominated*) : മനസ്സിലാകും.

MR. A. THANU PILLAI (*Trivandrum*) : പാർട്ടിഷനെ സംബന്ധിച്ചു മനസ്സിലാക്കാനാണ് ചോദിക്കുന്നതു്.

MR. P. S. MAHOMED (*Nominated*): പാർട്ടിഷൻ വരുമ്പോൾ ഷീയാ എന്നോ സുന്നി എന്നോ ഉള്ള തർക്കമില്ല. മഹമ്മദൻലായിൽ ഓരോരുത്തരെപ്പററിയും പറയുന്നുണ്ടു്. അതാതുവിഭാഗക്കാർ അതാതുനിയമം അനുസരിച്ചുകൊണ്ടാൽ മതി.

MR. A. THANU PILLAI (*Trivandrum*) : കൂട്ടുകുടുംബസ്വത്തിനെപ്പററി മഹമ്മദൻലാ ഏർപ്പെടുത്തണമെങ്കിൽ എങ്ങനെചെയ്യണമെന്നാണു മെമ്പറുടെ അഭിപ്രായം?

MR. P. S. MAHOMED (*Nominated*) : എൻെറ അഭിപ്രായം ഓരോരുത്തക്കും ആളോഹരിവീതം കിട്ടണമെന്നാണ്. തറവാട്ടുസ്വത്തുള്ളവക്കു തടസ്ഥമുണ്ടെങ്കിൽ അവക്കുംകൂടി യോജിച്ചു പോകത്തക്കവിധത്തിൽ വല്ലതും ചെയ്യുന്നതു എനിക്കു സമ്മതമാണ്.

MR. A. THANU PILLAI (*Trivandrum*) : ഇതിനെസംബന്ധിച്ചു തെളിവെടുക്കണോ?

MR. P. S. MAHOMED (*Nominated*) : സിലക്ട്കമ്മിററിക്ക് ആവശ്യമുണ്ടെന്നു തോന്നുന്നപക്ഷം തെളിവെടുക്കാം.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : മരുമക്കത്തായം ആചരിച്ചുവരുന്നവരുടെ ശ്രദ്ധയിൽ ഈ ബിൽ പെട്ടിട്ടുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*) : അവരാണ് ഈ ബിൽ കൊണ്ടുവരണമെന്നു അപേക്ഷിച്ചതു്.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): അവരിൽ ചിലരെക്കൂടി സിലക്ട്കമ്മിററിയിൽ ചേക്കുന്നതുകൊണ്ട് മെമ്പക്കു വിരോധമുണ്ടോ?

MR. P. S. MAHOMED (*Nominated*) : എനിക്കൊരുവിരോധവുമില്ല.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Sir, I wish to make a few observations about the Bill. I did not decide whether I should support or oppose the Bill. The Bill was only published and placed in our hands very recently. Therefore I had a talk with Mr. Mahomed as to whether that section of the Mahomedan community in Edava and Odattil supported the principle of the Bill. Mr. Mahomed assured me that a large majority of the people were in favour of the Bill though nothing has appeared for or against that either in the Press or in the Platform.

MR. P. S. MAHOMED (*Nominated*) : You can find from the newspapers.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : Nothing came to my notice in that direction.

I raised that point to Mr. Mahomed and because the Muslims of Edava and Odattil did not say anything against the Bill it cannot be said that they are wholeheartedly in support of a measure likethe present one. This Bill seems to affect the Mahomedans living at Edava and Odathil which are in my constituency and Paravur which is a part of Quilon. Therefore this Bill only affects the law of inheritance of the people in these three places who are now following the Marumakkathayamlaw.

[Mr. K. P. Nilakanta Pillai.]

For the time being on the assurance of Mr. Mahomed I have not the least objection for the Bill being referred to a Select Committee. I am of opinion, because I had not the opportunity seeing members of the Mahomedan community of the said places and conversing with a large majority of them, it would be advisable, that one or two from among the respectable men of those localities, may be nominated as members of the Select Committee which is to consider the further progress of this Bill. With these observations I support the principle of the Bill.

MR. P. S. MAHOMED (*Nominated*): ഈ ബിൽ വേണ്ടവിധത്തിൽ പരസ്യംചെയ്തില്ലയോ എന്നൊരു സംശയം ഇവിടെ പറയുകയുണ്ടായി. ഈ ബിൽ പരസ്യം ചെയ്തതുപോലെ മറ്റൊരു ബില്ലും തന്നെ പരസ്യപ്പെടുത്തിയിട്ടില്ല. ഗസററിൽ അനുവാദം തരുന്നതിനുമുമ്പേതന്നെ പരസ്യംചെയ്തു. മുസ്ലീംപത്രത്തിലും വളരെകാലം പരസ്യം ചെയ്തിരുന്നു. പല യോഗങ്ങളുംകൂടി ഇതിനെസംബന്ധിച്ച് റസല്യൂഷൻസ് പാസാക്കി അയച്ചിട്ടുണ്ട്. പ്രജാസഭയിൽ മെമ്പർമാർ ഗവർണ്മെൻറിനെ അറിയിച്ചു. ഈ സംഗതിയിൽ എതിർ ഇല്ല എന്ന സംഗതി ഈ നിയമം വേണമെന്നു ആവശ്യപ്പെടുന്നവരുടെ താലൂക്ക പ്രതിനിധിയായ മി. കെ പി. നീലകണ്ഠപ്പിള്ളയോടു അവരാരുംതന്നെ ഇതിലേക്ക എതിർ ഉണ്ടെന്നു പറയാത്തതിൽനിന്നും സ്പഷ്ടമാകുന്നുണ്ട്. സമുദായത്തിലെ മെമ്പർതന്നെ ഒരു ബിൽ കൊണ്ടുവരട്ടെ എന്നു ഗവണ്മെൻറു മറുപടി പറഞ്ഞതുകൊണ്ട് അവർ മുസ്ലീം മെമ്പറെ പ്രതീക്ഷിച്ചുകൊണ്ടിരിക്കുന്നു എന്നേയൊള്ളു. ഇതിൽ അവക്ക എതിരഭിപ്രായം ഉണ്ടായിരുന്നാൽ അവർ ഉടൻതന്നെ മി. കെ. പി. നീലകണ്ഠപ്പിള്ളയുടെ അടുക്കൽ പോകുമായിരുന്നു. ഇതിൽനിന്നും എതിർ ഇല്ല എന്നുള്ളതു നിശ്ചയം.

The question that the principle of the Bill to amend the law relating to inheritance and succession among Muslims of Travancore be accepted and the Bill be read in Council, was then put to the vote of the House and carried *nem con.*

The Secretary to the Council then read the title of the Bill.

MR. P. S. MAHOMED (*Nominated*): ഈ ബിൽ ലാമെംബർ നാമിനേററുചെയ്യുന്ന അംഗങ്ങളടങ്ങിയ ഒരു സിലക്ട്കമ്മിററിക്ക റഫർ ചെയ്യണമെന്നു ഞാൻ അഭിപ്രായപ്പെട്ടുകൊള്ളുന്നു.

PRESIDENT: You say you would prefer to nominate members to the Select Committee at a subsequent meeting of the Council?

MR. P. S. MAHOMED (*Nominated*): Yes, Sir.

MR. A. G. MENON (*Parur*): I second it.

The motion that the Bill be referred to a Select Committee, the members to which would be nominated at a subsequent meeting of the Council, was then put to the vote of the House and carried *nem con.*

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

CONSTITUTION OF A COMMITTE TO TAKE STEPS TO RELIEVE THE PEOPLE FROM THE PRESENT FINANCIAL CRISIS.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Sir, I beg to move the following resolution:

> This Council recommends to the Government that a committee with an elected non-official majority and the necessary financial aid from the Government be constituted immediately for taking prompt steps to relieve the people from the present financial crisis.

Sir, unfortunately, this subject of economic depression is not a new one. Economic depression has been felt in the country for the last eighteen months.

PRESIDENT: In view of the discussion that has taken place in the House, the day before yesterday, on the same subject, have you anything to say?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): The adjournment motion was on the delay on the part of Government in taking steps to relieve the people of this economic depression.

PRESIDENT: I merely wanted to suggest it to you in order to know whether you really wish to discuss your present resolution.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): This subject is not new to this Council. It was referred to when the adjournment motion on the delay on the part of Government to take remedial measures was discussed in this House two days back. Many constructive suggestions have been made by most of the members on this side of the House. The fact that the Government are not unaware of the seriousness of the situation is evident from the fact that the Dewan, in his Address to the Popular Assembly, has made reference to it. But the committee which was then promised by the Dewan is different from the committee which I have now suggested in this resolution. The committee promised by the Dewan is to enquire into the causes of the present economic depression and to submit a report to Government.

PRESIDENT: It is to suggest remedies also.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): It can suggest remedies only in its report. But the committee I suggest in my resolution is a committee for taking immediate steps for relieving the people from the present financial crisis.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Without knowing the causes, the committee is going to take immediate steps to remedy the situation?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): The committee will look into the causes and take remedial measures to relieve the people. Perhaps, my suggestion appears to be very novel.

PRESIDENT: You may explain it.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): This situation which we have now to face, Sir, is not a matter which can be referred to a committee for enquiry and submission of a report at some distant date. There are certain matters on which urgent action has to be taken by Government; and, the economic depression and the distress caused to the people thereby are such urgent matters. If we are to draw inferences from the time taken by the various committees that have so far been constituted, it is more or less certain, that this committee also would take a long time to submit its report. So, what I suggest is that, even apart from and without prejudice to the committee promised by the Dewan, the committee that I now suggest in my resolution may be appointed. Sir, if I remember right, in reply to a representation in the Popular Assembly, the Dewan stated that though a committee to enquire into the causes of the depression would be appointed, that would not debar the Government from taking other steps to relieve the people even before the committee submits its report. My present suggestion is that, that matter of taking immediate steps to relieve the distress might be entrusted to a committee with an elected non-official majority. Since the committee is to take immediate action and to spend money, I know it should consist of responsible officials also. I would be very glad if the Dewan himself is the President of the Committee, so that there may not be any difficulty or delay in getting the expenditure, recommended by the committee, sanctioned by Government, or in taking other steps. The committee must be given adequate funds to meet the situation. Anyhow, since the time is very limited I do not want... ..

PRESIDENT: But, I do not think you have made the position clear. What is the committee to do? Where is to get the money from?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Government should give the necessary funds.

PRESIDENT: The committee should pass resolutions and get money from Government.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Yes.

PRESIDENT: That is exactly what the other committee also is going to do.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): The other committee has first to submit its report which the Government would consider, and then take steps.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : May I know from the member, what are the functions of the committee now suggested by him? He may explain it by illustrations, or suggestions, or by description.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : I have clearly stated it here in my resolution.

"............for taking prompt steps to relieve the people from the present financial crisis."

My friend Mr. T. C. Kesava Pillai suggested that the allotment for loans may be increased, that some extension of time may be granted to the people for the payment of taxes, that the tax may be remitted and that more money may be allotted for the Public Works Department in the different parts of the State so that more people may get work to relieve them from unemployment and distress. In regard to all these and various other steps, the committee which I suggest, will immediately take action without waiting to make a report or to get it approved by Government for further action by them.

PRESIDENT : What is the action that the committee is going to take?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): The committee will suggest steps to be taken, and make the Government allot money for them.

PRESIDENT : That is exactly what the other committee is going to do.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : The committee will itself pass orders sanctioning more money for loans, pass orders remitting taxes, pass orders giving more time for the payment of taxes. All these things the committee can do directly and immediately if the Dewan or the Chief Secretary is in the committee.

PRESIDENT : Even if the Dewan presides, the Committee would not be Government ; it would only be a committee.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : The Dewan, forming part of the committee, will feel the necessity to take immediate action suggested by the committee.

PRESIDENT : You do not seem to understand me, Mr. Asan. A committee is proposed to be constituted by Government.......

MR. K. GEORGE (*Chief Secretary to Government*) : Orders have already been issued.

PRESIDENT : The G. O. constituting the committee has already been issued. It is a committee of officials and non-officials and it has to consider this question of economic distress, its causes, and to suggest remedial measures. The suggestions of the committee will be considered by Government with all the weight that they deserve. I do not understand what more *your* committee is going to do. Even from what you have been saying hitherto, I have not been able to understand

[President.]

what you mean. Whatever may be the constitution of the committee, it will only be a committee; and the most it can do is tosuggest things to Government. It cannot do anything more than that.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): The committee constituted by Government can only make a report to Government, while the one that I suggest can itself take immediate action.

PRESIDENT: Why do you think that the committee constituted by Government would take more time to make suggestions than the committee you now suggest?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Because, the committtee constituted by Government can only report to Government; and Government will consider the report and then take action. On the other hand, the committee that I now suggest can directly take immediate action.

MR. K. GEORGE (*Chief Secretary to Goverment*): Is it the member's idea that the committee that he suggests should be entrusted with money and should be allowed to make cash loans as they like without even getting any security? Does he suggest that the tax-payers' money should be freely distributed like that?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*)): No, no.

MR. K. GEORGE (*Chief Secretary to Government*): What is the financial aid that he speaks of in his resolution?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikpalli*): The financial aid recommended by the committee must be given by Government. The committee must be given the financial aid where they require it. I do not suggest that the committee should be allowed to spend money without Government sanction.

MR. K. GEORGE (*Chief Secretary to Government*): Then, I cannot understand any distinction between the committee now suggested by the member and the one constituted by Government.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Therefore, what I suggest is that a committee should be appointed... ..

PRESIDENT; Unless you make your position clear and suggest what the functions of the committee are, it is impossible to put it before the House, Mr. Asan.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): The committee should take immediate steps.

PRESIDENT: What steps?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): It must immediately suggest remedial measures.

PRESIDENT: To Government?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikaplli*): Yes, Sir; and the Government must take immediate action.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): Who is to pay for the committee?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Government.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*); മി. ആശാന്റെ പ്രമേയത്തെ ഞാൻ ഹൃദയപൂർവ്വം പിൻതാങ്ങുന്നു. ഈ വിഷയത്തെ സംബന്ധിച്ച് ഇതിനുമുമ്പു ഒരു അടിയന്തരപ്രമേയം ഇവിടെ അവതരിപ്പിക്കയും അതിലേക്കു ഒരു കമ്മിററി രൂപീകരിച്ചിട്ടുണ്ടെന്നും, അസംബ്ലി റിപ്പോർട്ടിലെ താല്പര്യമനുസരിച്ച് ഒന്നര ലക്ഷം രൂപാ അനുവദിച്ചിട്ടുണ്ടെന്നും, ബാങ്കിങ്ങ് എൻക്വയറി കമ്മിററി റിപ്പോർട്ടനുസരിച്ചു ഭൂസ്വത്തു ജാമ്യബാങ്കു താമസിയാതെ ഏർപ്പെടുത്തുമെന്നും മററും ചീഫ് സെക്രട്ടറി മറുപടി പറയുകയുംചെയ്തു. ഇതിനുപുറമേ ഏതാനും സംഗതികൂടി ഗവൺമെൻറിന്റെ ശ്രദ്ധയിൽ കൊണ്ടുവരാനാണ് മി. ആശാന്റെ പ്രമേയംകൊണ്ടുദ്ദേശിക്കുന്നത്. ഇപ്പോഴത്തെ സെൻസസ് അനുസരിച്ച് ൫൦ ലക്ഷത്തോളം ജനങ്ങൾ ഇവിടെയുണ്ട്. അതിൽ ൧൦-ൽ ഒരാൾക്കു കുടയുണ്ടെന്നു വിചാരിക്കുന്നപക്ഷം ഏകദേശം അഞ്ചുലക്ഷം ആളുകൾ കുടപിടിക്കുന്നതായി കാണാം. ഒരു കുട ഒന്നുക്കു ൩ രൂപാവീതം ൧൫ ലക്ഷം രൂപാ വിദേശങ്ങളിലേക്ക് കൂടുതലായി പോയിക്കൊണ്ടിരിക്കുന്നു. ഈ കമ്മിററി മുഖാന്തിരം, ഓലക്കുട ഉണ്ടാക്കി ജനങ്ങൾക്കു കൊടുക്കുന്നപക്ഷം ഇത്രയും രൂപാ ലാഭമുണ്ടെന്നുള്ള സംഗതി ഗവൺമെൻറിന്റെ ദൃഷ്ടിയിൽ കൊണ്ടുവരാം. ഇങ്ങനെയുള്ള വ്യവസായങ്ങൾക്കു പണംകൊടുത്തു അഭിവൃദ്ധിയിൽ കൊണ്ടുവരാൻ വ്യവസായഡയറക്ടർക്കു സാധിക്കും. വിദേശങ്ങളിൽനിന്നും വരുന്ന കാപ്പി, തേയില, ഇവയ്ക്കു പകരം കരിക്ക് കുടിക്കണമെന്നുവന്നാൽ തേങ്ങയ്ക്കു വില കൂടുതൽ കിട്ടും.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): ഈ വ്യവസായങ്ങൾ രൂപീകരിച്ചശേഷം ഇന്നത്തെ സാമ്പത്തികാധഃപതനം പരിഹരിച്ചാൽ മതി എന്നാണോ വിചാരിക്കുന്നത്?

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): ഇപ്രകാരമുള്ള പല നിർദ്ദേശങ്ങളേയും പററി ഗാഢമായി ആലോചിച്ച്, മി. ആശാൻതുടങ്ങിയുള്ള പൊതുജനപ്രതിനിധികളുടെ അഭിപ്രായങ്ങൾ ഇന്നതാണെന്നു ഗവൺമെൻറിനെ അറിയിക്കാൻസാധിക്കും. അതിനാൽ മി. ആശാന്റെ പ്രമേയത്തെ ഞാൻ ബലമായി പിൻതാങ്ങുന്നു.

MR. P. S. MAHOMED (*Nominated*): മി. ആശാൻെറ പ്രമേയത്തെ ഞാൻ എതിൎത്തുകൊള്ളുന്നു. സാമ്പത്തികാധഃപതനത്തെപ്പററി ആലോചിക്കുന്നതിനു ഒരു കമ്മിററി ഗവൺമെൻറു മിക്കവാറും രൂപീകരിച്ചു കഴിഞ്ഞിരിക്കുന്നു. ഇനിയും അതിനെപ്പററി വേറെ എന്തോ അന്വേഷിക്കുന്നതിനു ഒരു കമ്മിററികൂടി നിയമിക്കണമെന്നാണ് മി. ആശാൻ പറയുന്നതു്. ആ സംഗതികൾകൂടി ഇപ്പോഠം രൂപീകരിച്ചിരിക്കുന്ന കമ്മിററിയെ അറിയിക്കുന്നപക്ഷം അവർ ആലോചിച്ചുകൊള്ളും. ഒന്നിനുപുറകെ ഒന്നായിട്ടു കമ്മിററികൾ രൂപീകരിച്ചതുകൊണ്ടു പ്രയോജനമൊന്നുമില്ല. ഇപ്പോൾ നിയമിച്ചിട്ടുള്ള കമ്മിററിയുടെ റിപ്പോൎട്ടു വരുമ്പോഴേക്കും നമ്മുടെ സാമ്പത്തികാധഃപതനം അവസാനിച്ചു കഴിയുമെന്നാണ് എനിക്കു തോന്നുന്നതു്. എങ്കിലും അവരുടെ റിപ്പോൎട്ടുകൊണ്ടു ഇന്നല്ലെങ്കിൽ നാളെ ഒരു ഗുണം ഉണ്ടാകുമെന്നുള്ളതു സമ്മതിക്കാം. അതിനാൽ ആ കമ്മിററിതന്നെ വളരെ വേഗത്തിൽ അവരുടെ പ്രവൃത്തിചെയ്യുന്നതിനു ഗവൺമെൻറു ഉൗജ്ജിതപ്പെടുത്തുന്നപക്ഷം മററൊരു കമ്മിററികൂടാതെ തന്നെ ഇന്നത്തെനിലയ്ക്കു അവരിൽനിന്നും വേണ്ട നിൎദ്ദേശങ്ങൾ നമുക്കു ലഭിക്കുമെന്നാശിക്കാം. ഈ കമ്മിററിയുടെ റിപ്പോൎട്ടു വരുന്നതിനിടയ്ക്കു ഗവൺമെൻറിനു ഈ വിഷയത്തിൽ വല്ലതും ചെയ്യുവാൻ കഴിവുണ്ടെങ്കിൽ അതു ചെയ്യണം. അല്ലാതെ ഇനിയും ഒരു കമ്മിററി രൂപീകരിക്കണമെന്നുള്ള മി. ആശാൻെറ പ്രമേയത്തെ ഞാൻ ബലമായി എതിൎത്തുകൊള്ളുന്നു.

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): സർ, എനിക്കും ഈ പ്രമേയത്തെ ആദരിച്ചു് ഗവൺമെൻറിൻെറ ശ്രദ്ധയെ അല്പം ആകൎഷിക്കേണ്ടതായിട്ടുണ്ടു. മി. ദാമോദരൻ ആശാൻെറ പ്രമേയം ഒരുവിധത്തിലും എതിൎക്കപ്പെടേണ്ടതായ ഒന്നല്ല; തിരുവിതാംകൂറിലെ സാമ്പത്തികാധഃപതനം അത്രമാത്രം പൊതുജനങ്ങളുടെ ശ്രദ്ധയെ ആകൎഷിച്ചിട്ടുണ്ടു്.

MR. P. S. MAHOMED (*Nominated*): ഇനിയും ഒരു കമ്മിററി വേണമെന്നാണൊ അഭിപ്രായം?

MR. A. C. KURIAKOSE (*Minachil* cum *Devicolam*): അഭിപ്രായം പറഞ്ഞുവരുമ്പോൾ മനസ്സിലാകും. വ്യക്തമായില്ലെങ്കിൽ ഒടുവിൽ ചോദിക്കുക; സമാധാനം പറയാം.

ജനങ്ങളുടെയിടയിൽ സാമ്പത്തികാധഃപതനം എത്രമാത്രം ബാധിച്ചുകൊണ്ടിരിക്കുന്നു എന്നു ഗവൺമെൻറിനെ ഏതെല്ലാം സ്വരൂപത്തിൽ

മനസ്സിലാക്കാൻ കഴിയുമോ അങ്ങിനെയെല്ലാം മനസ്സിലാക്കുകയും, ഗവണ്മെൻറിൻെറ ശ്രദ്ധയെ എങ്ങിനെയെല്ലാം ആകർഷിക്കാൻ കഴിയുമോ അങ്ങിനെയെല്ലാം ആകർഷിക്കയും ചെയ്യേണ്ടതു് ജനങ്ങളുടേയും ജനപ്രതിനിധികളുടേയും ധർമ്മമാകുന്നു. ഈ പ്രമേയം ഏതാനുംമാസത്തിനുമുമ്പെ അയച്ചു; ഉടൻതന്നെ ബാലട്ടിൽകിട്ടി; അതിനിടയ്ക്കു ഇതിനെസംബന്ധിച്ചു അടിയന്തിരപ്രമേയം വന്നു ചർച്ചചെയ്തു; എന്നിരുന്നാലും ഈ പ്രമേയംകൊണ്ടു നിർദ്ദേശിക്കുന്ന സംഗതികൾ ഉടനടി നടത്തിക്കളയാം എന്നുള്ള വിചാരം മി. ആശാന് ഇല്ല. ജനങ്ങളുടെ ആവശ്യം എത്രമാത്രമുണ്ടെന്നു ഗവർമ്മെൻറു പലതരത്തിൽ മനസ്സിലാക്കിയിട്ടുണ്ടു്. എന്നിട്ടും ഗവർമ്മെൻറു ഇതിനെ സംബന്ധിച്ചു ചെയ്തിട്ടുള്ള ഏർപ്പാടുകൾ ശരിയായവിധത്തിൽ ആകുന്നില്ലെന്നാണ് ജനങ്ങളുടെ ബോദ്ധ്യം. അതുകൊണ്ടു കിട്ടിയ സന്ദർഭത്തെ ഉപയോഗിച്ചും ഈ സംഗതി വീണ്ടും ഗവർമ്മെൻറിൻെറ ശ്രദ്ധയിൽ കൊണ്ടുവരുന്നതു നിമിത്തം ജനങ്ങൾക്കു വല്ല ഗുണവും കിട്ടുന്നുവെങ്കിൽ കിട്ടികൊള്ളട്ടെ എന്നുള്ള വിചാരമാണ് മി. ആശാനെ ഇതിലേക്കു പ്രേരിപ്പിച്ചതു് എന്നാണ് എനിക്കു തോന്നുന്നതു്. അതുകൊണ്ടാണ് ഞാനും ഇപ്പോൾ ഇത്രയും പറയുന്നതു്. ഇതിലേക്കു ഞാൻ മുമ്പുപറഞ്ഞതുപോലെ, ഓരോ സ്ഥലങ്ങളിലെയും സാമ്പത്തികാധഃപതനം ഏതു സ്വരൂപത്തിൽ ഇരിക്കുന്നു എന്നു മനസ്സിലാക്കാൻ പേഷ്കാരന്മാർ ഉടനെ ഒരുത്തരവുകൊടുത്തു തഹശീൽദാർ മുഖാന്തിരം അന്വേഷിച്ചു, സാർവ്വത്രികമായി ഓരോ ഡിവിഷനിലേയും തല്ക്കാലസ്ഥിതി എന്താണ് എന്നു മനസ്സിലാക്കി, പെട്ടെന്നു നടപടി വല്ലതും നടത്തണമെന്നുണ്ടെങ്കിൽ അതാതു തഹശീൽദാരന്മാരുടെ റിപ്പോർട്ടു വരുത്തണം. അതേ അവസരത്തിൽതന്നെ ഗവർമ്മെൻറിൻെറ ഈ നടപടികൊണ്ടു കഴിയുന്നതും ആശ്വാസം ഉണ്ടാക്കാൻ എത്രയും അവധാനപൂർവ്വം ചിന്തിച്ചു വേഗത്തിൽ വേണ്ട പ്രവൃത്തികൾ നടത്തണമെന്നുള്ളതു നിരാക്ഷേപമായ ഒരു സംഗതിയാണ്. ഇത്രയും സംഗതികൾ ഗവർമ്മെൻറിൻെറ ദൃഷ്ടിയിൽ കൊണ്ടുവരുന്നതുകൊണ്ടു ഇപ്പോൾ രൂപീകരിച്ചിട്ടുള്ള കമ്മിററിക്കുതന്നെയും മേൽനടപടി നടത്തുന്നതിനു ഒരു പ്രതിബന്ധവും ഉണ്ടാകുന്നതല്ല. അതിനാൽ ഈ സന്ദർഭത്തിൽ ഈ പ്രമേയം യോജിച്ചതാണ് എന്നു പറഞ്ഞുംകൊണ്ടു് ഞാൻ പ്രമേയത്തോടു പൂർണ്ണമായി യോജിച്ചുകൊള്ളുന്നു.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Sir, the resolution of Mr. Asan is a specific recommendation to Government to appoint a committee, with financial aid given to it to relieve the present situation. As stated by Mr. Asan himself, the Dewan, at the last session of the Assembly, promised to appoint a committee to consider the various causes that have led to the depression, and to do all that the present situation requires. Mr. George also, while speaking on the adjournment motion the day before yesterday, has clearly stated that the present trade depression was not one confined to Travancore alone. As has been observed by the Dewan also, this economic depression is the outcome of various causes that have been affecting the Continent as well as several countries. The committee promised by the Dewan is for looking into the causes and for suggesting suitable remedial measures. The committee now recommended by Mr. Assan is one which should be given money immediately, perhaps, as interpellated by Mr. Gorge, to be distributed among the people immediately. The causes for this trade depression are varied. Even the opinions of great economists are conflicting with respect. to that. While one says that the crash of Walsh Street in October 1929 is responsible for this depression, another is of opinion that the currency policy now adopted by the Government of India is responsible for it, and a third is of opinion that over-production and under-demand is responsible, and a fourth that the present high standard of living is primarily responsible for the fall in price of paddy and rice and other food products. It shows that it is idle to find one cause at the root of this depression. Therefore, I would request Mr. Asan to withdraw this resolution just now and to wait and see what the committee to be constituted by Government is going to do.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Sir, yesterday also we had a long discussion about the subject under discussion now. I am sorry to find that I was not enlightened on any doubtful point in my mind either during yesterday's discussion or to-day. When resolutions are placed before the House, and when the movers want the House to vote in their favour, when movers want to convert the House in their favour it is the duty of the mover or at least the supporters to put forward some convincing arguments which would win the support of the members of the House. Yesterday also I was impatient to hear from some of the expert members on the other side of the House, points which would enlighten the House on the several aspects of the present world-wide economic depression with special reference to the peculiarities of our country. Unfortunately, I was disappointed. The sum- total of the discussion is that nobody knows exactly what this depression is due to nor does anybody know when or how to remove it. That was the case that was presented before the House yesterday. The nature of the discussion is the same to-day also. It seems under the circumstances impossible for anybody exactly to place his finger at the very spot which is the cause of this depression or at the very spot which would remove this depression. I am doubtful whether any purpose would be served by the appointment of any committee unless we could anticipate

that the depression is sure to continue for some time to come. Experts throughout the world, as has already been pointed out, are not able to find out the real cause of this depression. Therefore, I am of opinion, that it would be better to appoint one or two local experts to look into the opinions of experts in other countries throughout the world and to adopt suitable suggestions of theirs. When the whole world is in the dark as to the real causes of the situation and as to the proper remedies for it, I ask, in all humility, whether any committee would be able to serve any useful purpose, particularly when there is keen economic depression throughout the country and when the Government coffers are practically empty. I have not so far heard, either yesterday or to-day any practically useful suggestion thrown out as to how the committee should work effectively to help the people. I expect every member, speaking in favour of a particular subject and wishing to get the support of the House, to enlighten the House on doubtful of points and to put forth facts and arguments which would convince the House and win it over to his side. But, nothing like that has been done in these two days. That is the reason for my present speech.

It seems to me, Sir, that a better course to be adopted under the present circumstances--and my point is supported by cogent reasons also—is this. Looking at our trade, I find from the figures that the imports are more than paid for by exports. Then, how can there be any economic depression? I find that paddy, cocoanut, tapioca and other food products are very cheap; and the people seem to live in a time of plenty, if I may say so. There is no famine. Then, with respect to our other needs also, apparently all of us are satisfied and look rich and decent—at any rate, that is how we have impressed distinguished visitors to our State. Then, what is the sort of economic depression here? Again, I find—we can get the exact figures from the Commissioner of Police—the number of cars, buses, lorries and other motor vehicles, imported increasing tremendously; and we now see so many of these motor cars in the country that one has to wonder how the people of our country have managed to get so many of these cars within the last few years.

I do not know what this committee that is to be constituted is going to do. I cannot understand what remedies they can suggest without actually knowing the causes. How are Government going to act upon the recommendations of the committee? My view is that a committee is unnecessary. The Dewan with the help of a vigilant Secretary or even two secretaries if necessary may go into the question and do something which would give some immediate relief to the people. That will be a better method than appointing a committee which is to drag on and submit a report within two or three years. I suggest the import of motor cars to be prohibited for some years because they are too many in our country. Some relief may be given to the chitty foremen and subscribers by suspending chitties for a time if possible. In the matter of agricultural loans Government may pass orders to

[Mr. K. P. Nilakanta Pillai.]

return the loans by instalments giving the people more time. As regards the appointment of a Trade Agent as suggested by many members that also may be immediately looked into. With regard to paddy, I came to understand that in Central and South Travancore several thousand kottas of paddy are stocked by people which is not sold on account of competition and want of price. Some method may be found out to sell that paddy.

MR. R. RAMAN PILLAI (*Kottayam*): നെല്ലിനു വിലകൂടാൻ ഇടയാക്കുന്നതു സാധുക്കളായ ജനങ്ങൾക്കു ഉപദ്രവമല്ലേ?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): I never said that poor people must be taxed by prohibiting import of foreign paddy. When I went to South Travancore I happened to talk with a rich man who has got six thousand kottas of paddy stocked in his house. He is not able to get Rs. 5 per kotta. I told him to sell it at Rs. $4\frac{1}{2}$ and deposit the money in a bank instead of stocking them. That is what I suggested. An efficient man whether the Dewan or the Chief Secretary with another vigilant Secretary should be asked to take immediate measures which will give relief to the people. I have no belief in committees. We do not know the exact causes of this economic depression. Even experts are not aware of them. Under these circumstances, I think some other prompt measures have to be taken for giving relief to the people.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : എക്കണോമിക് ഡിപ്രഷൻ ഉണ്ടെന്നോ ഇല്ലെന്നോ മെമ്പറുടെ അഭിപ്രായം?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): ഉണ്ടെന്നുപറഞ്ഞല്ലോ.

I have already admitted that there is economic depression. Even if I do not admit, experts have admitted that and my opinion does not count much.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : അതിനുകാരണമെന്താണെന്നു പറയാമോ?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : I do not know. Some people say it is an after-effect of the war. Others say it is due to over production. There is competition and some countries in the west are stocking all the gold and silver in their countries anticipating a war. That is another reason. The civil disobedience movement may be said to be another reason. Collapse of banks throughout the world is another reason. Over production of wheat in Russia is said to be one other cause. Some people are of opinion that the exchange policy of the Government of India is another reason. Nobody knows what the exact causes are. Experts have taken up the question and made investigations.

With these words I also support the motion of Mr. Asan.

MR. MATTHEW MURIKKAN (*Vaikam*): Sir, I also wish to express a few words in connection with this all-important question. As expressed by Mr. K. P. Nilakanta Pillai, this is a question which has engaged the attention of many of the members of this House and many of us have been able to express various aspects of the question not only to-day but in the previous day's discussion also. Therefore, I am not going to make any observations with regard to the matters that have already been discussed on the floor of the House. Anyhow, I wish to draw attention to one aspect of the question. All have admitted that there is economic depression. But some may doubt as to the causes of the depression. My friend Mr. Asan wants a committee with sufficient funds to pay them off to the people who are in distress. The Government took another point of view and they have appointed a committee just to enquire into the causes of the present depression and if I am well informed orders have already been issued constituting a committee. My friend Mr. K. P. Nilakanta Pillai also observed that nobody is aware of the real causes of this depression. Mr. Piraviperumal Pillai was saying that it is due to the exchange policy, over production and all that. Anyhow, it is quite certain that none of us are in a position to put our finger at the right spot. None of my friends were able to find out the real causes. But we are terribly afraid of these committees. My friend Mr. K. P. Nilakanta Pillai also expressed this fear. These committees are not prompt. I am sorry to say that most of them do not take any vigilant action and in a case like this we cannot wait. Of course it has already been constituted. But the committee must not be sleeping. It must go about and find out the real causes. So much about the constitution of the committee.

I may say one or two words as regards the relief measures to be effected by the committee. We have to consider it from all points of view. Some of the members have been suggesting the appointment of a Trade Agent and the starting of Land Mortgage Banks. These are necessary not only in time of depression. The learned Financial Secretary has been asking what will be the functions of the Trade Agent and where is he to be appointed and all that. I do not know what prompted him to ask these questions either out of mere curiosity or for information. If it is for the latter I am quite prepared to give him information. Sir, in Travancore there are certain raw materials which the outside world does not know. We have got tapioca and cassava which are now so very important in the outside world. There is also the timber. I have only very limited time. These are some of the points to which I would lay stress which should engage the attention of Government not only at the time of depression but in other times as well. The Chief Secretary said it is not possible to constitute a Land Mortgage Bank all of a sudden. What people really want is some relief work. The Chief Secretary said the other day that Government have set apart 1½ lakhs of rupees for relief measures. He says it is to be given to the poor people at the rate of 100 and 200 rupees as agricultural loans. But the working of the Agricultural Department is not satisfactory. It is

[Mr. Matthew Murikkan.]

not the fault of anybody. The poor people actually do not get the money. It is good that a lakh and a half of rupees is set apart. But it is of no use. We want more money to be set apart. Government should kindly see that these loans which are intended to be given are given as early as possible. They should also see that this money is used for the intention for which it is given. This is the first step that Government can take by way of relieving the people.

Then there is another way in which the Government can help the people. That is with regard to the question of rubber. Rubber industry is in the point of a great revolution in Travancore. Many of our people are estate owners. It is these people that are actually suffering. Government should start some company for manufacturing rubber into some articles of use like the tyres of motor cars. The cost of a tyre is nearly Rs. 35. I am not quite certain. I am myself not a user of car. One tyre may be manufactured out of 6 or 7 lbs, of rubber the cost of which is very low. Of course Government will have to spend some money for floating such a company. Manufacture of tyre is only one instance. I have no time to be exhaustive. The serious attention of Government has to be directed towards the rubber question. I appreciate the Government for having appointed a commitee to go into the whole question. But the committee should not be sleeping. It should be very vigilant and do something immediately to alleviate the distress of the numerous suffering people of Travancore.

MR. V. CHELLAM PILLAI (*Tovala*): സർ, സാമ്പത്തികാധഃപതനം ഉത്തര തിരുവിതാംകൂറിലും, ദക്ഷിണ തിരുവിതാംകൂറിലും മദ്ധ്യതിരുവിതാംകൂറിലുമുണ്ട്. അതിനെപ്പററി ഗവൺമെൻറും ജനങ്ങളും ശ്രദ്ധിച്ചിട്ടുമുണ്ട്. അതിനെ പരിഹരിക്കുന്നതിനായി ഒരു കമ്മിററി ഏർപ്പെടുത്തണമെന്ന് ഇരുകക്ഷികൾക്കും അഭിപ്രായമുണ്ട്. ഇപ്പോൾ ഗവൺമെൻറിൽ നിന്നും ഒരു കമ്മിററി രൂപീകരിച്ചിട്ടുള്ളതായി അറിയുന്നു. ആ കമ്മിററിയിൽ അനുദ്യോഗസ്ഥ അംഗങ്ങൾ കൂടി ഉണ്ടായിരിക്കണം. അനുദ്യോഗസ്ഥ മെമ്പർമാർക്കു പല സ്ഥലത്തുള്ള വിവരങ്ങൾ അറിയാമെന്നുള്ളതിനാൽ അവരെക്കൂടി ചേർക്കുന്നതു് ഉദ്യോഗസ്ഥ മെമ്പർമാർക്കു വലിയ സൌകര്യമാണ്. ഇപ്പോഴത്തെ കമ്മിററിയിൽ തെക്കൻതിരുവിതാംകൂറിൽ നിന്നും അംഗങ്ങൾ ആരും തന്നെയില്ല. മി. ആശാൻെറ പ്രമേയം അനുദ്യോഗസ്ഥഭൂരിപക്ഷമുള്ള ഒരു കമ്മിററി വേണമെന്നാണ്. എന്നാൽ ഇതു് ഒരു ഗവൺമെൻറു മെഷിനറിയായാൽ പ്രവൃത്തിയിൽ വളരെ കാലതാമസം നേരിടുമെന്നും പറയുന്നുണ്ട്. അതുകൊണ്ടാണ് അനുദ്യോഗസ്ഥഭൂരിപക്ഷം വേണമെന്നു പറയുന്നതു്.

സാമ്പത്തികാധഃപതനത്തെപ്പററി പലരും പലതും പറഞ്ഞു. എനിക്കു പറയാനുള്ളതു കടം മേടിച്ചിട്ടുള്ളവക്ക് അവരുടെ കാർഷികോല്പന്നങ്ങൾ കൊണ്ടു കടം വീട്ടാൻ സാധിക്കുന്നില്ല. അതിനാൽ time bar limitation കുറച്ചു suspend ചെയ്തു കൊടുക്കണമെന്നുള്ളതാണ്.

PRESIDENT: That is going beyond the resolution.

MR. V. CHELLAM PILLAI (*Tovala*): മററു പലരും പറഞ്ഞതുകൊണ്ടു ഞാനും പറഞ്ഞുവെന്നേയുള്ളു. ഞാൻ ഈ പ്രമേയത്തോട് അനുകൂലിച്ചു കൊള്ളുന്നു.

PRESIDENT : This is the last meeting of the third Council constituted under Regulation II of 1097. It has now worked for three years and we are now on the eve of a general election. I have been associated with the work of this Council for the last two years as its President and I have presided over all its sessions during that period except the last one. This Council like its predecessors has to its credit a large volume of good work, legislative and otherwise and it may well be proud of the quantity and the quality of the work that has been done. Now we part. I trust many of you will meet again here at the first session of the next Council which is about to be constituted. But inside the Council or outside it I confidently trust that we shall all be found united in Loyalty to our benign Ruler and working wholeheartedly for the good of the country.

This Council will now stand prorogued until in the usual course its dissolution is notified.

The Council was prorogued at 5-5 P. M.

C. O. MADHAVAN,
Secretary to the Legislative Council.

SUPPLEMENT I.

TRAVANCORE LEGISLATIVE COUNCIL.

STANDING FINANCE COMMITTEE, 1106.

Monday, the 8th December 1930/23rd Vrischikam 1106.

The First meeting of the Standing Finance Committee, 1106, of the Legislative Council, was held in the Dewan's room, Public Offices, at 12-15 P. M. on Monday, the 8th December 1930/23rd Vrischikam 1106. The following members were present :—

A. Venkatarama Aiyar Esq., B. A., B. L., *Ag. Dewan—President.*
A. G. Menon Esq., B. A.
V. J. Oommen Esq.
K. George Esq., B. A.
R. Nilakanta Pillai Esq., B. A., B. L.
P. N. Krishna Pillai Esq., B. A., B. L., *Convener.*

LAND REVENUE DEPARTMENT.

The Committee accepted the proposal for the entertainment of a temporary Accountant on Rs. 14 and a temporary peon on Rs. 8 each per mensem for a period of seven months from the 1st Dhanu 1106 for L. R. M. work in the Enadimangalam pakuti of the Kunnattur taluk and agreed to the provision of a sum of Rs. 154 on account of the same in the Budget for 1106.

GENERAL ADMINISTRATION.

2. The Committee approved the proposal for the payment of remuneration at the rate of Rs. 25 per sitting to each of the non-official members of the Election Commission appointed in connection with the Election petition preferred by Mr. J. W. Rose questioning the validity of the election of Mr. T. C. Kesava Pillai by the Kalkulam cum Vilavankod constituency and agreed to the provision of a sum of Rs. 725 required for the purpose in the Budget for 1106.

3. The proposal for the appointment of a clerk on Rs. 40-5-70 and the grant of an allowance of Rs. 15 per mensem to the typists in the Secretariat for a period of three months from the 1st Makarom 1106 for the work in connection with the preparation of the Municipal Manual was agreed to by the Committee as also the provision of a sum of Rs. 243 required for the purpose in the Budget for 1106.

ADMINISTRATION OF JUSTICE.

4. The Committee agreed to the continuance till the end of 1106 of the office of the Laws' Delays Commissioner and to the provision of a sum of Rs. 14,218 for the purpose in the Budget for 1106.

SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS.

5. The Committee approved the proposal for the appointment temporarily of an Attender Mechanic on Rs. 20 per mensem from the 16th Dhanu 1106 till the end of the year in the Astronomical Section of the Observatory and agreed to the provision of a sum of Rs. 130 required for the purpose in the Budget for 1106.

The Committee adjourned *sine die* at 12-35 P. M.

Huzur Cutcherry,
Trivandrum, 8th December 1930.

P. N. KRISHNA PILLAI,
Convener, Standing Finance Committee.

Supplement II.

THE TRAVANCORE VILLAGE PANCHAYAT COURTS REGULATION AMENDMENT BILL.

(As settled by the Council.)

A Bill to amend the Travancore Village Panchayat Courts Regulation I of 1090.

Whereas it is expedient to amend the Travancore Village Panchayat Courts Regulation, I of 1090, for the purpose hereinafter appearing; It is hereby enacted as follows :—

1. This Regulation may be called "The Village Panchayat Courts (Amendment) Regulation, 110 ."

2. In Section 7 of the Travancore Village Panchayat Courts Regulation, I of 1090, after the proviso, the following shall be added, namely : —

"Provided also that every President and Judge shall, notwithstanding the expiry of two years from his appointment, remain in office unless Our Government otherwise direct, until this successor is appointed."

P. N. KRISHNA PILLAI.

Secretary to the Legislative Council.

Supplement III.

REPORT OF THE SELECT COMMITTEE ON THE TRAVANCORE FOOD ADULTERATION BILL.

We, the undersigned members of the Select Committee appointed to consider the Travancore Food Adulteration Bill, beg to submit the following Report with the Bill as revised by us annexed thereto.

CLAUSE 2.

Definition of "Milk."—We are of opinion that as sheep's milk is used generally for food, it should be brought within the provisions of this measure relating to milk. We therefore recommend an amendment of the definition of "milk" in such a way as to include sheep's milk. The words "or sheep" may be inserted after the word "cow" in the definition of "milk."

Definition of "Butter" :—As butter is made from curds, we are of opinion that the words "or from curds" should be inserted after the word "both" in line 1.

As we are of opinion that Curds and butter-milk, which are common articles of food sold in this country, should be defined we suggest that the following definitions be inserted in this clause :

"Curds"—Curds mean boiled and fermented milk holding in suspension fat and other solids contained in milk.

"Butter-milk"—Butter-milk is fermented milk and is the residue left after removal of butter from curds by churning.

Explanation.—In churning, it is permissible to add water to curds for facilitating churning, but the resultant butter-milk shall contain not less than 8 5 per cent of the milk solids excluding fat.

Definition of "Ghee".—As butter has been defined, it is not necessary to have the words "made from cow's or buffalo's milk or cream or both" in the definition of "Ghee". These words may therefore be omitted.

Definition of "Public Analyst":—We are of opinion that the Public Analyst should have some minimum qualifications if he should be of material use. We therefore propose to prescribe some minimum qualifications and add the following proviso in the definition of "Public Analyst".—

"Proviso : Provided that no person shall be appointed Public Analyst unless he is a Chemistry Graduate of a University and has undergone a course of training in food analysis in any public health laboratory for a period not less than six months."

Definition of "Local Food Inspector": The majority of us are of opinion that the minimum rank of a person appointed as Food Inspector should be indicated in the definition, and therefore suggest that for the word "person" occurring in the definition, the words "officer not below the rank of a Taluq Tahsildar" be substituted.

As a consequential provision we recommend that the following Explanation be added as Explanation I, re-numbering the present Explanation as Explanation II.

" Explanation I : The comparative rank of officers for the purpose of this provision shall be what is decided by the order of Our Government."

Explanation II as proposed.

The words " unless otherwise directed by our Government" may be omitted from the Explanation now occurring in the Bill and proposed by us to be altered into Explanation II.

CLAUSE 3.

There was some difference of opinion about the retention of Clause 3 and the advisability of allowing the power of delegation of Food Inspectors. The majority of us are of opinion that the Clause should be retained as it is.

CLAUSE 4 (1).

sub-clause (b)

In Sub-clause (*b*) the words " manufactures, or stores for sale or" may be substituted for the words " manufactures, stores". This is intended to make the meaning of the provision clear that the manufacturing and storing should be for the purpose of sale.

Sub-clause (d).

As in sub-clause (*b*) the words "manufactures or stores for sale or" may be substituted for the words "manufactures, stores".

In line 2, the words " or coffee" may be inserted after the word "tea".

CLAUSE 5.

There was some difference of opinion with regard to Clause 5; but the majority of us are of opinion that it should be passed as it is.

CLAUSE 9.

The words "on conviction" should be inserted after the word "shall" in order to make clear that the punishment should be by a court.

CLAUSE 11.

At the end of sub-clause 2 (*b*) the word "or" may be added and the following shall be added as a new sub-clause, namely :—

"(*c*) otherwise disposed of."

This amendment is proposed with a view to give the Court ample discretion in the matter of the disposal of the article.

CLAUSE 15—PROVISO.

We are of opinion that the Chemical Examiner to Government is not the proper person to analyse food, and therefore we propose that, for the words "the Chemical Examiner to Our Government or to any officer designated for the purpose by Our Government", the words "any expert analyst in food stuffs" be substituted and the word "may" be substituted for the word "shall" occurring after the word "who".

CLAUSE 16.

We are of opinion that the Magistrates of Third Class should not be given power to try offences under this Regulation; and therefore suggest that the words " unless they have been generally or specially empowered in that behalf by Our Government" be omitted.

CLAUSE 17.

The words " or if the offence is alleged to have been committed within the limits of a municipality, the sanction of the Municipal Council" may, we think, be omitted as the President, as the Local Food Inspector, has the power to sanction the prosecution. To make clear that the Local Food Inspector, may himself complain, we recommend that the words " or of the Local Food Inspector" be inserted after the word " purchaser" in line 2.

CLAUSE 20 (1).

We are of opinion that the words " consistently with the provisions of this Regulation and" should be inserted after the word "may" in line 1.

CLAUSE 20 (2).

In sub-clause (*d*) the words " or coffee" may be inserted after the word "tea".

In sub-clause (*g*) also, the words " or coffee" may be inserted after the word " tea ".

We are of opinion that the Bill as revised by us must be re-published".

(Sd.)	K. Madhavan Pillai	
(Sd.)	D. Francis	
(Sd.)	Revathinal Rama Varma Raja	
(Sd.)	K. Raman Tampi	
(Sd.)	L. A. Lampard	
(Sd.)	R. Kesava Pillai	Subject to a dissenting note.
(Sd.)	A. G. Menon	
(Sd.)	P. S. Mahomed	Do.
(Sd.)	K. Paramesvaran Pillai	

DISSENTING NOTE.

The object of this Bill is to supplement the provisions of the Travancore Penal Code relating to food adulteration. It is clear therefore that it is penal and it aims at the prevention of such offence. There is no provision in the present Bill to exempt from punishment of acts committed without any bad intention. The omission to exclude such acts done unknowingly or unconsciously would make bona fide acts punishable and such punishment would not in any way mitigate the commission of further offences. Therefore it is only just and proper, for the efficient working of this Regulation that bona fide acts should not be made penal. So we suggest the following provisions as found in the Madras Act to be added to Section 5 :—

"(1) Provided that the vendor shall not be deemed to have committed an offence under this Section, if he proves that the food

was purchased by him as the same in nature, substance and quality as that demanded by the purchaser and with a written warranty to the effect that it was of such nature, substance and quality that he had no reason to believe at the time when he sold the same that the food was not of such nature, substance or quality and that he sold it in the same state as that in which he purchased it.

(2) Where an employer is charged with an offence under this Regulation, he shall be entitled on application duly made by him to have any other person whom he charges as the actual offender brought before the Court at the time appointed for the hearing, and, if, after the commission of the offence has been proved, the employer proves to the satisfaction of the Court that he used due diligence to enforce the execution of this act and that the said other person committed the offence without his knowledge, consent or connivance, the said other person shall be convicted and the employer shall be acquitted."

Trivandrum,
11th December 1930.

(Sd.) R. Kesava Pillai,
,, A. G. Menon.

Separate Note by Mr. P. S. Mahomed.

This Bill is intended for the interest of the general public and hence I appreciate the view that a little inconvenience or a little disadvantage to individuals carrying on trade may be ignored.

The object of Section 5, I understand, is to place the whole responsibility of the offence on the person in whose possession the article adulterated is found for the purpose of sale. I quite agree with the view that imposing such responsibility on such person is necessary. But a merchant who got down articles of food from a firm or other respectable merchants believing in good faith that the articles are good in quality, nature and substance and he is storing or exposing the same for sale in the above belief and the court is satisfied that he is in no way responsible to the adulteration either by action or by knowledge it is unfair to allow such innocent person to be allowed for conviction.

It is for this reason that, in the Madras Act, a proviso protecting such person who proves to the satisfaction of the court that he came to the possession of the articles of food with the belief that they are in the same nature, substance and quality of the food as they are expected to be. Such a protection is highly necessary here also. The merchants as mentioned above should be protected from punishment but at the same time the public interest should not suffer. For this, the articles of food that are found adulterated under Section 4, should be dealt with according to Section 11. This is quite a sufficient lesson for a prudent merchant to be careful when he purchases articles of food from other merchants or firms from in or outside Travancore. This short note is added to set out a few points that may call for further consideration.

(Sd.) P. S. Mahomed.

Huzur Cutcherry,
Trivandrum, 29th Nov: 1930.

P. N. Krishna Pillai,
Secretary to the Legislative Council.

Supplement IV.

THE TRAVANCORE FOOD ADULTERATION BILL.

(As revised by the Select Committee.)

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THE TRAVANCORE FOOD ADULTERATION BILL.

(As revised by the Select Committee.)

[*Words in italics indicate the amendments suggested by the Committee.*]

A Bill to make provision for the prevention of adulteration of food.

Preamble. Whereas it is expedient to make provision for the prevention of adulteration of food; it is hereby enacted as follows:

Short title and local extent. 1. (1) This Regulation may be called the Travancore Food Adulteration Regulation, 110 .

(2) This Section shall extend to the whole of Travancore, and Our Government may by notification in Our Government Gazette extend all or any of the other provisions of this Regulation to any local area, municipal or non-municipal.

(3) Our Government in extending all or any of the provisions of this Regulation as provided in sub-section (2) may extend the same in respect of any specified article of food or generally in respect of all articles of food, and Our Government may so extend the provisions only temporarily, for a specified period or for the duration of any market, fair or festival or other large assembly of people.

Definitions. 2. In this Regulation unless there is something repugnant in the subject or context:—

'food' includes every article (other than drugs or water) used by man for food or drink and all materials ordinarily used or admixed in the composition or preparation of such article and includes also flavouring matter and condiments:

'milk' means the normal clean secretion drawn from the udder of a healthy cow *or sheep* or buffalo either completely, or, after the first portion of such secretion has been drawn off, to completion;

'cream' means that portion of milk rich in milk-fat which has risen to the surface of milk on standing and has been removed or which has been separated from milk by centrifugal force;

'butter' means butter made exclusively from milk or cream or both or *from curds* with or without the addition of salt or other innocuous preservative, or of innocuous colouring matter;

'curds' mean boiled and fermented milk holding in suspension fat and other solids contained in milk;

'butter milk' is fermented milk and is the residue left after removal of butter from curds by churning.

Explanation.—In churning, it is permissible to add water to curds for facilitating churning, but the resultant butter milk shall contain not less than 8·5 per cent of the milk solids excluding fat,

'ghee' means ghee prepared exclusively from butter.

'prescribed' means prescribed by rules made under this Regulation;

'Public Analyst' means any person appointed by Our Government or under rules made by Our Government, to exercise the functions of a Public Analyst under this Regulation:

Provided that no person shall be appointed Public Analyst unless he is a Chemistry Graduate of a University and has undergone a course of training in food analysis in any public health laboratory for a period not less than six months.

'local Food Inspector' means any officer *not below the rank of a Taluk Tahsildar* appointed by Our Government or under rules made by Our Government to exercise the functions of a local Food Inspector under this Regulation for any local area.

Explanation I.—The comparative rank of officers for the purpose of this provision shall be what is decided by the order of Our Government.

Explanation II.—The President of the Municipal Council shall be deemed to be the local Food Inspector for a municipality;

'local authority' means—

(1) in the case of any Municipality, the Municipal Council; and

(2) in the case of any other local area, such authority or officer as Our Government may appoint in this behalf.

Delegation of powers of local Food Inspector.

3. (1) The local Food Inspector may delegate his powers and duties under this Regulation to such persons and in such manner as may be prescribed.

(2) Every local Food Inspector and every person to whom powers have been delegated under this Section shall be deemed to be a public servant within the meaning of Section 15 of the Travancore Penal Code.

Punishment for sale, etc., of food not of the proper or prescribed quality.

4. (1) Every person who, directly or indirectly, himself or by any other person on his behalf,

(*a*) sells any food which is not of the nature, substance or quality of the article demanded by the purchaser; or

(*b*) manufactures *or stores for sale or* offers or exposes for sale or hawks about or sells any food which is not of the nature, substance or quality which it purports, or is represented to be; or

(*c*) abstracts from any food any part of it so as to affect injuriously the nature, substance or quality thereof with intent that it should be sold in its altered state without notice of the alteration, or sells any article so altered without making disclosure of the alteration; or

(*d*) manufactures *or stores for sale or* offers or exposes for sale or hawks about or sells milk, cream, butter, curds, buttermilk, ghee, tea *or coffee* or any other food which is not up to the standard of purity if any, prescribed by Our Government or any article similar to any article, in respect of which a stadard of purity has been so prescribed,

under a name which in any way resembles the name of such article shall be punished for the first offence with fine which may extend to one hundred rupees and for every subsequent offence with fine which may extend to five hundred rupees:

Provided that an offence shall not be deemed to be committed under this Section in the following cases, that is to say:—

(i) where any innocuous material has been used or admixed in the composition or preparation of the food to render the same fit for carriage or consumption and not fradulently to increase the bulk, weight or measure of the food or to conceal or debase the quality thereof; or

(ii) where in the process of production collection preparation or conveyance of the food some extraneous material has unavoidably been admixed therewith; or

(iii) where the food is the subject of patent in force and is supplied in the state required by the specification thereof.

(2) In every prosecution for an offence against this Section, the court may prusume that any food found in the possession of a person who is in the habit of manufacturing or storing like articles for sale has been manufactured or stored by such person for sale.

What defences not available.

5. In any prosecution for an offence under the last preceding Section it shall be no defence to allege merely that the accused person was ignorant of the nature, substance or quality of the food sold, manufactured, stored, offered or exposed for sale or hawked about by him or that the purchaser has bought the food only for analysis.

Powers of local Food Inspector for purposes of inspection.

6. (1) The local Food Inspector or any person authorised by him in writing in that behalf may at any time by day or by night inspect and examine any food which is being manufactured for sale or is in course of transit or stored for sale or is hawked about or exposed for sale and any utensil used for preparing, manufacturing or containing any such food and he may for the purpose of such inspection or examination enter at all reasonable times and without notice any place used for the manufacture, exposure or storage for sale and no person shall offer resistance to or obstruct any such inspection, examination or entry.

(2) No claim shall lie against any person or authority for any damage or inconvenience necessarily caused by the exercise of powers under this Section or by the use of any force necessary for effecting an inspection, examination or entry.

(3) In any legal proceedings in respect of powers exercised under this Section in which it is alleged that any food was not kept, exposed, hawked about, manufactured, prepared, stored, packed or cleansed for sale, or was not intended for human food, the burden of proof shall lie on the party so alleging.

7. Every person who shall in any manner whatsoever offer resistance to or obstruct the local Food Inspector or any person duly authorised by him exercising powers under the last preceding Section shall be punished, where his act does not amount to an offence under the Travancore Penal Code, with a fine which may extent to fifty rupees.

Penalty for preventing inspection.

8. If any food or article intended for food appears to the local Food Inspector or any person duly authorised by him and acting under Section 6 to be adulterated or other than what it purports or is represented to be, or if any vessel or utensil used in manufacturing, preparing, or containing such article appears to violate any rule made under Section 20, he may seize or carry away or secure such article, utensil or vessel, in order that the same may be dealt with as hereinafter provided.

Power to seize adulterated food, etc.

9. Every person who shall remove or in any way interfere with an article secured under the last preceding Section shall *on conviction* be purished with fine which may extened to five hundred rupees.

Penalty for removing or interfering with articles seized.

10. When any article of food seized under Section 8 appears to the local Food Inspector to be adulterated or other than what it purports or is represented to be, he shall forthwith send a sample of such article to the Public Analyst.

Sample of articles seized to be sent to the Public Analyst.

11. (1) Articles of food or samples thereof, utensils or vessels seized under Section 8, shall as soon as possible be produced before a Magistrate:

Production of articles, etc. seized before Magistrate and power of Magistrate to deal with them.

Provided that where a sample or an article has been sent to the Public Analyst the article or sample thereof may be produced before the Magistrate after receipt of the Public Analyst's certificate.

(2) Whether or not complaint is laid before the Magistrate of any offence under the Travancore Penal Code or under this Regulation, if it appears to the Magistrate on taking such evidence as he thinks necessary that any such article is adulterated or other than what it purports or is represented to be, or any such utensil or vessel is of such kind or in such state as is described in Section 8 he may order the same,

(*a*) to be forfeited to Our Government, or

(*b*) to be destroyed at the Charge of the owner or person in whose possession it was at the time of seizure in such manner as to prevent the same being again exposed or hawked about for sale or used for human food or for the manufacture or preparation of or for containing any such article as aforesaid, or

(c) *otherwise disposed of.*

12. (1) Any purchaser of any article of food shall be entitled, if a Public Analyst has been appointed for the local area within which such article is purchased, on payment of such fees, if any, as may be prescribed, to have such article analysed by such Public Analyst and to receive from him a certificate of the result of his analysis.

Purchaser may have food analysed.

(2) Before sending such article to be analysed as aforesaid the purchaser shall notify to the seller his intention to have it so analysed; and the Public Analyst on receiving such article for analysis shall divide it into three parts, of which one is to be analysed, another to be retained by him in order to be returned with his certificate and the third to be delivered on demand to the seller: Provided that each part other than the part analysed shall be marked and sealed or fastened up in such manner as its nature permits.

13. (1) The local Food Inspector or any person authorised by him in writing in that behalf may require, on tendering the price for it, the sale to him during the process of manufacture, for the purpose of analysis, of such quantity of

Power of local Food Inspector to Purchase samples for analysis.

(i) any food, or

(ii) any ingredients used in the manufacture of food,

as is reasonably requisite for division and disposal under Section 14; and any person in possession of the said food or ingredients shall be bound to sell such quantity.

(2) The local Food Inspector or any person authorised by him in that behalf may also require the surrender to himself, for the purpose of analysis, of such quantity as is reasonably requisite for division and disposal under Section 14, of any food which for the purpose of sale is—

(*a*) in course of transit in any local area, or

(*b*) stored in any place in any local area

and any person in possession of the said food shall be bound to surrender such quantity:

Provided that in every such case the price of the food so surrendered shall be payable to the owner of the food, if claimed by such owner within one month from the date of the said surrender.

(3) The local Food Inspector or any person authorised by him in writing in that behalf may also require, by tender of the price the sale to him, for the purpose if analysis, of such quantity of any food exposed or intended for sale, as is reasonably requisite for division and disposal under Section 14 and any person in possession of or exposing the same for sale shall be bound to sell such quantity.

(4) Every person who refuses to sell or surrender food to the local Food Inspector, or to the person duly authorised by him, as required by sub-sections (1), (2) and (3) shall be punished with fine which may extend to rupees one hundred.

Procedure for analysis of food.

14 (1) The local Food inspector or other person who purchases, for the purpose of analysis, a sample of food under Section 13, sub-section (1) or sub-section (3), shall, after the purchase has been completed, forthwith notify to the seller, or his agent selling the article, his intention to have the same analysed and shall divide the article into three parts, to be then and there separated, and each part to be marked and sealed or fastened up in any manner which its nature will permit.

(2) The person purchasing the sample shall deliver one of the said parts to the seller or his agent, and shall retain another part for future comparison or production in case proceedings are taken and shall send the remaining part if he deems it right to have the article analysed, to the Public Analyst appointed for the local area where the article is sold.

(3) When any food is surrendered under Section 13, sub-section (2), the person to whom it is surrendered shall forthwith notify to the person in charge of the said food his intention to have the same analysed and shall thereupon deal with the food so surrendered in the manner provided in sub-sections (1) and (2).

(4) If the seller or his agent or the person in charge of the food declines to accept one of the parts, the local Food Inspector or other person shall inform the Public Analyst of the fact when sending the sample for analysis and the Public Analyst on receiving the sample for analysis shall divide it into two parts and shall seal or fasten up one of those parts and shall cause it either upon receipt of the sample or when he delivers his certificate, to be delivered to the person who sent the sample or to the local Food Inspector who shall retain it for future comparison or production in case proceedings are taken.

Public Analyst's certificate.

15. (1) Every Public Analyst to whom a sample has been sent under this Regulation shall deliver to the person so sending it a certificate in the form prescribed in the schedule to this Regulation, or to the like effect, specifying the result of his analysis.

(2) Any document purporting to be such certificate signed by a Public Analyst may be used as evidence of the facts stated therein in any proceedings under this Regulation or under Sections 270 and 271 of the Travancore Penal Code :

Provided that any Court before which a case under this Regulation may be pending, whether exercising original, appellate or revisional jurisdiction, may in its discretion, at the request either of the accused or of the complainant, cause any article of food to be sent for analysis to *any expert analyst in food stuffs* who *may* thereupon analyse the same and report the result of such analysis to the said court ; and the expense of such analysis shall be paid by the accused or the complainant as the court may by order direct.

Jurisdiction of Magistrates.

16. Magistrates of the Third Class shall not try any offence under this Regulation.

17. No prosecution under this Regulation shall be instituted except on the complaint of the purchaser *or of the local Food Inspector* or with the consent in writing of the local Food Inspector or under the sanction of Our Government.

Condition of institution of prosecutions.

Limitation period for prosecution.

18. No prosecution under this Regulation shall be commenced after the expiry of three months after the commission of the offence.

19. Our Government may declare the normal constituents of any article of food and may determine, by rules in this behalf, what defficiency in any of these constituents, or what addition of extraneous matter or proportion of water in a sample of any article of food, shall for the purpose of this Regulation, raise a presumption until the contrary is proved that the article of food is not genuine or is injurious to health; and a Public Analyst shall have regard to such rules in certifying the result of an analysis under this Regulation.

Power to declare normal constituents of articles of food.

20. (1) Our Government may, *consistently with the provisions of this Regulation and* after previous publication, make rules to carry out the purpose of this Regulation for the whole or any part of the area to which this Regulation may have been extended.

Power to make rules.

(2) In particular and without prejudice to the generality of the foregoing power, Our Government may make rules for

(*a*) the appointment, removal and qualifications of, and the exercise of functions by, Public Analysts and local Food Inspectors;

(*b*) prescribing the classes or qualifications of persons to whom, and the conditions on which, the local Food Inspector may under Section 3 delegate his powers or duties;

(*c*) determining the local limits within which any local Food Inspector or any person delegated by him under Section 3 may exercise his functions;

(*d*) prescribing standards of purity for milk, cream, butter, curds, buttermilk, ghee, tea *or coffee* or any other food;

(*e*) prescribing the fees to be charged for the analysis of any article of food under this Regulation and the manner of paying or realising the same:

(*f*) prescribing in the interests of the public health, the state in which utensils and vessels used for manufacturing, preparing, or containing any food intended for sale shall be kept, and prohibiting the use of utensils and vessels made, in whole or in part, of materials likely to injure such food;

(*g*) determining what deficiency in any of the normal constituents of milk, cream, butter, curds, buttermilk, ghee, tea *or coffee* or any other food or what addition of any extraneous matter or proportion of water in any of the same or any preparation of the same, shall for the purpose of this Regulation raise a presumption until the contrary is proved that those articles of food are not genuine or are injurious to health;

(*h*) prohibiting or regulating in the interests of public health –

(i) the addition of water or other diluent or adulterant to any food;

(ii) the abstraction of any ingredients from any food; and

(iii) the sale of any food to which such addition and from which such abstraction has been made or which has been otherwise artificially treated;

(*i*) providing for the manner in which any receptacle containing dried, condensed, skimmed or separated milk is to be labelled or marked;

(*j*) authorising the persons taking samples of any food for the purpose of analysis under this Regulation to add preservatives to such sample for the purpose of maintaining it in a suitable condition for analysis and regulating the nature of such preservatives and the method of adding them.

(3) In making the rules Our Government may direct that a breach of any rule shall be punished with fine not exceeding rupees one hundred on a first conviction and not exceeding rupees five hundred on any subsequent conviction.

Power of local authorities to make byelaws.

21. Every local authority exercising control over any local area to which this Regulation has been extended may, under the provisions respecting the making of bye-laws of the Regulation if any under which such local authority is established, make bye-laws not inconsistent with this Regulation or the rules made thereunder for all the purposes of this Regulation and in particular, without prejudice to the generality of the power hereby given, for the prevention of the manufacture or preparation for sale, the exposure for sale, or hawking about, or the sale, of articles of food, which are adulterated or other than what they purport or are represented to be and the inspection and regulation of places in which such articles are kept, stored, packed cleansed, manufactured, prepared or exposed for sale, hawked about or sold.

This Regulation supplemental to the law of local authorities.

22. The provisions of Sections 2 to 21 of this Regulation shall be read as supplemental to the Regulation, if any, under which the local authority concerned is consituted.

Repeal of a provision of the Municipal Regulation.

23. Section 188 of the Travancore Municipal Regulation, V of 1095, is hereby repealed.

SCHEDULE.

Form of Certificate.

*Here insert the name of the person sending the article for analysis.

†Here insert the name of the person

To*

I the undersigned, Public Analyst for the , do hereby certify that I received on the day of 19 from† a sample of

delivering the sample. If the sample is received by post or by railway, entry should be made accordingly.

‡When the articles cannot be conveniently weighed, this passage may be erased or the blank may be left unfilled.

§Here the Analyst may insert at his discretion his opinion as to whether the mixture (if any) was for the purpose of rendering the article potable or palatable, or of preserving it, or of improving the appearance, or was unavoidable, and may state whether it was in excess of what is ordinary or otherwise and whether the ingredients or materials mixed are or are not injurious to health.

for analysis (which then weighed ‡
and have analysed the same and declare the result of my analysis to be as follows :—I am of opinion that the same is a sample of genuine

or

I am of opinion that the said sample contained the parts as under, or the percentages of foreign ingredients as under :—

§ Observations.

Signed this day of 19 .
at A. B.

In the case of a certificate regarding milk, butter, curds, buttermilk, ghee or any article liable to decomposition, the Analyst shall specially report whether any change had taken place in the constitution of the article that would interfere with the analysis.

Huzur Cutcherry,
Trivandrum,
29th November 1930.

P. N. Krishna Pillai,
Secretary to the Legislative Council.

Supplement V.

TRAVANCORE LEGISLATIVE COUNCIL.

Under Standing Order No. 35 of the Travancore Legislative Council, Rule 5 (1) of Order No. IX in the Schedule attached to the Civil Procedure Code, Regulation VIII of 1100, as amended by the High Court under Section 91 of the Civil Procedure Code, is published for general information. The amended Rule is to be laid before the Legislative Council under Section 94 of the Civil Procedure Code.

"5. (1). Where, after a summons has been issued to the defendant or to one of the several defendants and returned unserved, the plaintiff fails, for a period of three months from the date of the return made to the court by the officer ordinarily certifying to the court returns made by the serving officers, to apply for the issue of a fresh summons the court shall make an order that the suit be dismissed as against such defendant, unless the plaintiff has within the said period satisfied the court that

(*a*) he has failed after using his best endeavours to discover the residence of the defendant who has not been served or

(*b*) such defendant is avoiding service of process or

(*c*) there is any other sufficient cause for extending the time,

in which case the court may extend the time for making such application for such period as it thinks fit".

Huzur Cutcherry,
Trivandrum,
28th November 1930.

P. N. Krishna Pillai,
Secretary to the Legislative Council.

Supplement VI.

THE REVENUE RECOVERY REGULATION AMENDMENT BILL.

A Bill further to amend the Revenue Recovery Regulation, 1068.

Whereas it is expedient further to amend the Revenue Recovery Regulation, Regulation I of 1068 as amended by Regulations III of 1087, VII of 1094, X of 1097 and II of 1099 for the purpose hereinafter appearing; It is hereby enacted as follows :—

Short title. 1. This Regulation may be called the Revenue Recovery (Amendment) Regulation, 110 .

Amendment of Section 58. 2. In Section 58 of the Revenue Recovery Regulation, Regulation I of 1068 as amended by Regulations, III of 1087, VIII of 1094, X of 1097 and II of 1099 the following shall be added as an Explanation, namely :—

" Explanation.—The expression " officer " includes, for the purposes of this Section, every officer of Our Government and every officer of a Municipality as also every person employed for, engaged in, or responsible for, the collection of any public revenue or the dues of any local authority ".

STATEMENT OF OBJECTS AND REASONS.

Section 58 of the Revenue Recovery Regulation (I of 1068) empowers Government to invest any officer with the powers of a Peishkar, Tahsildar or Proverthicar under the Regulation. The term " officer " is not however defined, and doubts have been felt whether any officer of the Sripadom palace or of a Municipality could be lawfully invested with the powers. To remove such doubts an " Explanation " is proposed, by this Bill, to be added to Section 58.

P. N. KRISHNA PILLAI,
21st July 1930. *Secretary to the Legislative Council.*

Supplement I.

THE TRAVANCORE NAMPUTIRI BILL.

(As settled by the Council.)

Preamble. Whereas it is expedient to define and amend the law of succession and family management of the Malayala Brahmins; It is hereby enacted as follows :—

CHAPTER I.

PRELIMINARY.

Short title. 1. (1) This Regulation may be called The Travancore Malayala Brahmin Regulation of 110 .

Application. (2) It shall apply to all Malayala Brahmins domiciled in Travancore.

Commencement. (3) It shall come into force on 110 .

Definitions. 2. In this Regulation, unless their is something repugnant in the subject or context :—

(1) "Malayala Brahmin" includes Namputiri, Potti and others known or recognised as Malayala Brahmins but does not include those who according to the law governing them are entitled to individual partition before the passing of this Regulation.

(2) "*Illom*" means and includes all the members of a Malayala Brahmin joint family with community of property.

(3) "Karanavan" means the senior major male member of the *illom* in whom the headship of the *illom*, the right of management of its affairs and the possession of the properties thereof are vested in law, and, in the absence of such male member, the senior major female member.

Explanation :—"Female members of an *illom*" means and incuIdes females born in the *illom* but unmarried and females married into the *illom*.

Exception: The seniority of females who have become members of the *illom* by marriage shall be determined with reference to the date of marriage.

(4) "*Anandaravan*" means any member of an *illom* other than the karanavan.

(5) "Senior anandaravan" means the major anandaravan who for the time being is next in the order of succession to *karanavasthanam* to the *illom*.

(6) "Collateral branches" are branches of males who though descended from a common male ancestor do not stand in the direct line of ascent or descent to one another.

(7) "Minor" means a person who has not completed eighteen years of age.

CHAPTER II.

THE *Illom* AND ITS MANAGEMENT.

Powers of the Karanavan.

3. The karanavan has the right to be in possession and management of the properties of the *illom* and of the *Devaswoms* and other institutions over which the *illom* has Uraima or such other right.

Duties of karanavan to keep accounts.

4. The karanavan or the manager for the time being of an *illom* shall keep a true and correct account of the income and expenditure of the *illom*. The account of each year shall be available for inspection in the *illom* house by the major anandaravans after the close of the year. On demand copies of accounts shall be given to any member of the *illom* at his cost.

Alienation of *Illom* property.

5. Except for consideration and *illom* necessity, and with the written consent of all the major members of the *illom*, no karanavan or other managing member shall sell *illom* immovable property or execute kanom deeds in respect thereof, or mortgage it with possession for a period of more than twelve years or lease it with or without premium for a period of more than twelve years.

Nothing in this Section shall affect the right of the karanavan to execute solely renewals of kanom deeds already executed.

Mortgage or lease of *Illom* property.

6. No mortgage with possession of *illom* property or lease with premium exceeding one year's rent of such property for a period of twelve years or less shall be valid unless it is executed for consideration and *illom* necessity and with the consent of all the major members of the *illom*.

Such necessity and consent may be presumed to exist if the transaction has the written consent of the senior anandaravans of the karanavan's branch and of every collateral branch, if any.

Karanavan, etc., may not incur debts.

7. No debt contracted by the karanavan or other managing member shall bind the *illom* unless it be for *illom* necessity.

Liability of mortgagee or creditor.

8. Where a karanavan creates a mortgage without any term in respect of *illom* property or incurs a debt alleging the existence of *illom* necessity, such necessity shall, as between the mortgagee or creditor on the one part and the members of the *illom* who have not assented to the mortgage or debt on the other part, be presumed to have existed if the mortgagee or creditor, after using reasonable care to ascertain the existence of such necessity, has acted in good faith.

Surrender of *Karanavasthanam*.

9. A Karanavan shall be at liberty to give up the right of management by a unilateral surrender evidenced by a registered instrument.

Delegation of power by Karanavan.

10. (1) (a) No Karanavan shall appoint any agent for managing the *illom* properties except by a duly registered instrument; and

(b) no Karanavan shall delegate his *karanavasthanam* in favour of any person.

(2) Where there is no major male or major female member in an *illom* to carry on the management, any person interested in the *illom* or its members may, on an application made to the Civil Court of original jurisdiction within whose limits the *illom* is situated, have the affairs conducted through the manager appointed by the Court as per the order of the Court making such appointment.

Marriage expenses.

11. Where a Karanavan neglects to give a girl of the *illom* in marriage even after her having completed the eighteenth year of age, her father or in his absence any other member of the *illom* who has the right to perform the Udakapurvam shall have the right to have her marriage performed and he shall be entitled to realise from the *Illom* the amount reasonably required for that purpose.

Decree against an *Illom*.

12. No decree shall bind an *illom* unless it is obtained against the Karanavan as such and the senior Anandaravans of his branch and of every collateral branch, if any.

Right of maintenance.

13. (1) Every member of an *illom* shall be maintained by the *illom* whether such member lives in the *illom* house or not.

Right to separate allotment of properties.

(2) Any member of an *illom* shall be entitled to get a separate allotment of properties of the *illom* for his or her maintenance, as the case may be, provided there is just and sufficient cause for such allotment.

CHAPTER III.

Guardianship of Minors.

Guardianship of Minors.

14. Subject to the provisions of the Guardians and Wards Regulation, the following persons, in the order named, shall be the legal guardians of minors in respect of their person as also of the separate properties belonging to them, namely, the father, mother, paternal grandfather, full brothers in the order of seniority, consanguine brothers in the order of seniority and paternal uncles in the order of seniority.

CHAPTER IV.

Inheritance and Intestate succession.

Succession to the intestate males.

15. On the death of a Malayala Brahmin male leaving him surviving caste widows and sons and daughters by caste wives they shall subject to the provisions of Section 21 of the Nayar Regulation, II of 1100, take the whole of the self-acquired and separate properties left undisposed of by him at his death in equal shares;

Provided that if a son or daughter shall have predeceased the intestate, the lineal descendants of such son or daughter shall take the share which such son or daughter would have taken had he or she survived the intestate.

Devolution of property of male intestate.

16. On the death of a Malayala Brahmin male leaving him surviving none of the heirs mentioned in the preceding Section, the self-acquired and separate properties left undisposed of by him at his death shall subject to the provisions of Section 21 of the Nayar Regulation, II of 1100, devolve on the members of his *Illom*.

Succession to the intestate females.

17. (1) On the death of a Malayala Brahmin female leaving her surviving sons and daughters they shall take the whole of the self-acquired and separate properties left undisposed of by her at her death in equal shares:

Provided that if a son or daughter shall have predeceased the intestate, the lineal descendants of such son or daughter shall take the share which such son or daughter would have taken had he or she survived the intestate.

(2) In the absence of children the properties referred to in sub-section (1) shall be taken by the husband.

Devolution of property of female intestate.

18. On the death of a Malayala Brahmin female leaving her surviving none of the heirs mentioned in the preceding Sections the self-acquired and separate properties left undisposed of by her at her death shall devolve on the members of her husband's *illom*.

Devolution of property of unmarried female intestate

19. On the death of an unmarried Malayala Brahmin female the whole of her self-acquired and separate property left undisposed of by her shall devolve on her parents.

In the absence of her parents it shall devolve on her brothers and sisters in equal shares and in their absence it shall devolve on her *illom*.

CHAPTER V.

SUPPLEMENTAL PROVISIONS.

Right of widow.

20. If the surviving members of an *illom* are all widows they shall be entitled to divide the *illom* properties equally among themselves.

Stridhanam.

21. Stridhanam received by a Malayala Brahmin shall be treated as the joint property of the husband and wife.

Edappalli Swaroopam exempted.

22. This Regulation shall not apply to the *Edappalli Swaroopam*.

Saving clause.

23. Nothing in this Regulation shall affect the existing rules of the law, custom or usage except to the extent hereinbefore expressly provided for.

P. N. KRISHNA PILLAI,
Secretary to the Legislative Council.

Supplement II

AMENDMENT TO STANDING ORDER No. 56 OF THE LEGISLATIVE COUNCIL STANDING ORDERS PROPOSED BY MR. A. S. DAMODARAN ASAN.

Substitute the word 'two' for the word 'five' after the word 'given' and before the word 'clear' in line 1 of Standing Order No. 56.

Huzur Cutcherry,
Trivandrum, 23rd June 1930.

P. N. KRISHNA PILLAI,
Secretary to the Legislative Council.

REPORT OF THE SELECT COMMITTEE ON THE AMENDMENT OF STANDING ORDER No. 56 OF THE LEGISLATIVE COUNCIL STANDING ORDERS.

We, the undersigned members of the Select Committee on the amendment of Standing Order No. 56 of the Legislative Council Standing Orders, have considered the proposed amendment and have now the honour to report as follows:

We are of opinion that three days clear notice must meet the requirments of the situation. We therefore propose to substitute the word "three" in the place of the word "five" in Standing Order. The Standing Order as amended will read as follows:

"56. If notice of a motion to omit or reduce any grant has not been given *three* clear days before the day on which the demand is to be considered any member may object to the moving of the motion and such objection shall prevail unless the President in the exercise of his power to suspend the Standing Order allows the motion to be made".

(The word in italics is the word substituted by the amendment.)

(Sd.) K. A. Krishna Aiyangar, *Chairman.* 7-10-105.
(Sd.) A. S. Damodaran Asan. 7-10-105.
(Sd.) H. B. Mahomed Rowther.
(Sd.) V. J. Oomman. 7-10-105.
(Sd.) K. N. Kesavan Namputiripad.
(Sd.) K. Paramesvaran Pillai.
(Subject to a minute of dissent.)
(Sd.) C. S. Krishnaswami Aiyar.
(Subject to a minute of dissent.)
(Sd.) P. N. Krishna Pillai.
(Subject to a minute of dissent.)

I think that the five days' period of notice now fixed by the Standing Order is not at all too long; it is not likely to put the non-official members in any disadvantageous situation, particularly because there is the provision for the President to waive notice. On the other hand, if the notice is too short it will put the official members at a disadvantage as they have to reply to the reduction motions by supplying full and

accurate information. It may be mentioned also that even in any exceptional case it is not possible either for the Government member or for the President to insist on a longer notice than that proposed by the amendment. I am of the view therefore that it is neither necessary nor advisable to amend the Standing Order.

(Sd.) K. Paramesvaran Pillai, 20-5-1930.
I agree.
(Sd.) C. S. Krishnaswami Aiyar, 20-5-1930.
I agree.
(Sd.) P. N. Krishna Pillai, 20-5-1930.

Huzur Cutcherry,
Trivandrum, 23rd June 1930.

P. N. KRISHNA PILLAI,
Secretary to the Legislative Council.

Supplement (i).

TRAVANCORE LEGISLATIVE COUNCIL.

STANDING FINANCE COMMITTEE, 1106.

Thursday, the 2nd April 1931/20th Minam 1106.

The Second Meeting of the Standing Finance Committee 1106, of the Legislative Council, was held in the Dewan's room, Public Offices at 2-15 P. M. on Thursday, the 2nd April 1931/20th Minam 1106. The following members were present :—

V. S. Subrahmanya Aiyar Esq., B. A., B. L., Dewan-President.
A. G. Menon Esq., B. A.
V. J. Oommen Esq.
K. Madhavan Pillai Esq., L. M. & S.
K. George Esq., B. A.
R. Nilakanta Pillai Esq., B. A., B. L.
C. O. Madhavan Esq., B. A., B. L., Convener.

SANITARY DEPARTMENT.

1. The Committee approved the proposal for the purchase of a Refrigerator at a cost of Rs. 1,200 and an Electric Motor at a cost of Rs. 200 for the Vaccine Depot and agreed to the provision of a sum of Rs. 1,400 for the purpose in the Budget for 1106.

In this connection Mr. K. Madhavan Pillai suggested the desirability of having a Medical Officer as an assistant to the Superintendent of the Vaccine Depot. Mr. K. George said that the Sanitary Commissioner has reported to the Government about the necessity for the same and that the proposal is now before the Government.

The President said that the matter will be taken up for early consideration.

ADMINISTRATION OF JUSTICE.

2. The Committee accepted the proposal for the appointment of an additional staff consisting of one clerk on Rs. 20 per mensem and a peon on Rs. 9 per mensem temporarily for one year from the re-opening of the Court, in the Village Panchayat Court, Parur, and agreed to the provision of a sum of Rs. 58 required for the purpose, for two months, in the Budget for 1106.

CENSUS.

3. The Committee agreed to the provision of a sum of Rs. 24,000 for Census work during the rest of the year.

AGRICULTURE AND FISHERIES.

4, The Committee agreed to the provision of a sum of Rs. 9,500 in the Budget for 1106 for the supply of salt to fish curers at concessional rate.

PUBLIC WORKS-MINOR IRRIGATION.

5. The proposal for the continuance of the Minor Irrigation Committee and the temporary staff attached to it till the end of Mithunam 1106 was agreed to by the Committee as also the provision of a sum of Rs. 1,800 required for the purpose in the Budget for 1106.

The Committee adjourned *sine die* at 2-30 P. M.

Huzur Cutcherry,
Trivandrum, 4th April 1931.

C. O. MADHAVAN,
Convener, Standing Finance Committee.

Supplement (ii).

THE TRAVANCORE FOOD ADULTERATION BILL.

(As settled by the Council.)

CONTENTS.

PREAMBLE.

Clauses.

1. Short title and local extent.
2. Definitions.
3. Delegation of powers of local Food Inspector.
4. Punishment for sale, etc., of food not of the proper or prescribed quality.
5. What defences not available.
6. Powers of local Food Inspector for purpose of inspection.
7. Penalty for preventing inspection.
8. Power to seize adulterated food, etc.
9. Penalty for removing or interfering with articles seized.
10. Sample of articles seized to be sent to the Public Analyst.
11. Production of articles, etc., seized before Magistrate, and power of Magistrate to deal with them.
12. Purchaser may have food analysed.
13. Power of local Food Inspector to purchase samples for analysis.
14. Procedure for analysis of food.
15. Public Analyst's certificate.
16. Jurisdiction of Magistrate.
17. Condition of institution of prosecutions.
18. Limitation period for prosecution.
19. Power to declare normal constituents of articles of food.
20. Power to make rules.
21. Power of local authorities to make bye-laws.
22. This Regulation supplemental to the law of local authorities.
23. Repeal of a provision of Municipal Regulation.

THE TRAVANCORE FOOD ADULTERATION BILL.

(As settled by the Council.)

A Bill to make provision for the prevention of adulteration of food.

Preamble. Whereas it is expedient to make provision for the prevention of adulteration of food; It is hereby enacted as follows:—

Short title and local extent. 1. (1) This Regulation may be called the Travancore Food Adulteration Regulation, 110 .

(2) This Section shall extend to the whole of Travancore, and Our Government may by notification in Our Government Gazette extend all or any of the other provisions of this Regulation to any local area, municipal or non-municipal.

(3) Our Government in extending all or any of the provisions of this Regulation as provided in sub-section (2) may extend the same in respect of any specified article of food or generally in respect of all articles of food, and Our Government may so extend the provisions only temporarily, for a specified period or for the duration of any market, fair or festival or other large assembly of people.

Definitions. 2. In this Regulation unless there is something repugnant in the subject or context :—

'food' includes every article (other than drugs or water) used by man for food or drink and all materials ordinarily used or admixed in the composition or preparation of such article and includes also flavouring matter and condiments ;

'milk' means the normal clean secretion drawn from the udder of a healthy cow or sheep or buffalo either completely, or, after the first portion of such secretion has been drawn off to completion ;

'cream' means that portion of milk rich in milk-fat which has risen to the surface of milk on standing and has been removed or which has been separated from milk by centrifugal force ;

'butter' means butter made exclusively from milk or cream or both or from curds with or without the addition of salt or other innocuous preservative, or of innocuous colouring matter ;

'curds' mean boiled and fermented milk holding in suspension fat and other solids contained in milk ;

'buttermilk' is fermented milk and is the residue left after removal of butter from curds by churning ;

Explanation :—In churning, it is permissible to add water to curds for facilitating churning, but the resultant buttermilk shall contain not less than 8·5 per cent. of the milk slids excluding fat ;

'ghee' means ghee prepared exclusively from butter;

'prescribed' means prescribed by rules made under this Regulation;

'Public Analyst' means any person appointed by Our Government or under rules made by Our Government, to exercise the functions of a Public Analyst under this Regulation;

Provided that no person shall be appointed Public Analyst unless he is a Chemistry Graduate of a University and has undergone a course of training in food analysis in any public health laboratory for a period not less than six months;

'local Food Inspector' means any officer not below the rank of a Taluk Tahsildar appointed by Our Government or under rules made by Our Government to exercise the functions of a local Food Inspector under this Regulation for any local area;

Explanation I.--The comparative rank of officers for the purpose of this provision shall be what is decided by the order of Our Government;

Explanation II.- The president of the Municipal Council shall be deemed to be the local Food Inspector for a municipality;

'local authority' means—

(1) in the case of any Municipality, the Municipal Council; and

(2) in the case of any other local area, such authority or officer as Our Government may appoint in this behalf."

Delegation of powers of local Food Inspector.

3. (1) The local Food Inspector may delegate his powers and duties under this Regulation to such persons and in such manner as may be prescribed.

(2) Every local Food Inspector and every person to whom powers have been delegated under this Section shall be deemed to be a public servant within the meaning of Section 15 of the Travancore Penal Code.

Punishment for sale, etc., of food not of the proper or prescribed quality.

4. (1) Every person who, directly or indirectly, himself or by any other person on his behalf,

(*a*) sells any food which is not of the nature, substance or quality of the article demanded by the purchaser; or

(*b*) manufactures or stores for sale or offers or exposes for sale or hawks about or sells any food which is not of the nature, substance or quality which it purports, or is represented to be; or

(*c*) abstracts from any food any part of it so as to affect injuriously the nature, substance or quality thereof with intent that it should be sold in its altered state without notice of the alteration, or sells any article so altered without making disclosure of the alteration; or

(*b*) manufactures or stores for sale or offers or exposes for sale or hawks about or sells milk, cream, butter, curds, buttermilk, ghee, tea or coffee or any other food which is not up to the standard of purity, if any, prescribed by Our Government or any article similar to any article, in respect of which a standard of purity has been so prescribed, under a name which in any way resembles the name of such article shall be punished for the first offence with fine which may extend to one hundred rupees and for every subsequent offence with fine which may extend to five hundred rupees :

Provided that an offence shall not be deemed to be committed under this Section in the following cases, that is to say :—

(i) where any innocuous material has been used or admixed in the composition or preparation of the food to render the same fit for carriage or consumption and not fradulently to increase the bulk, weight or measure of the food or to conceal or debase the quality thereof ; or

(ii) where in the process of production, collection, preparation or conveyance of the food some extraneous material has unavoidably been admixed therewith ; or

(iii) where the food is the subject of a patent in force and is supplied in the state required by the specification thereof.

(2) In every prosecution for an offence against this Section, the court may presume that any food found in the possession of a person who is in the habit of manufacturing or storing like articles for sale has been manufactured or stored by such person for sale.

What defences not available

5. In any prosecution for an offence under the last preceding Section it shall be no defence to allege merely that the accused person was ignorant of the nature, substance or quality of the food sold, manufactured, stored, offered or exposed for sale or hawked about by him or that the purchaser has bought the food only for analysis.

Powers of local Food Inspector for purposes of inspection.

6. (1) The local Food Inspector or any person authorised by him in writing in that behalf may at any time by day or by night inspect and examine any food which is being manufactured for sale or is in course of transit or stored for sale or is hawked about or exposed for sale and any utensil used for preparing, manufacturing or containing any such food and he may for the purpose of such inspection or examination enter at all reasonable times and whithout notice any place used for the manufacture, exposure or storage for sale and no person shall offer resistance to or obstruct any such inspection, examination or entry.

(2) No claim shall lie against any person or authority for any damage or inconvenience necessarily caused by the exercise of powers under this Section or by the use of any force necessary for effecting an inspection, examination or entry.

(3) In any legal proceedings in respect of powers exercised under this Section in which it is alleged that any food was not kept, exposed, hawked about, manufactured, prepared, stored, packed or cleansed for sale, or was not intended for human food, the burden of proof shall lie on the party so alleging.

Penalty for preventing inspection.

7. Every person who shall in any manner whatsoever offer resistance to or obstruct the local Food Inspector or any person duly authorised by him exercing powers under the last preceding Section shall be punished, where his act does not amount to an offence under the Travancore Penal Code, with a fine which may extent to 50 rupees.

Power to seize adulterated food, etc.

8. If any food or article intended for food appears to the local Food Inspector or any person duly authorised by him and acting under Section 6 to be adulterated or other than what it purports or is represented to be, or if any vessel or utensil used in manufacturing, preparing, or containing such article appears to violate any rule made under Section 20, he may seize or carry away or secure such article, utensil or vessel, in order that the same may be dealt with as hereinafter provided.

Penalty for removing or interfering with articles seized,

9. Every person who shall remove or in any way interfere with an article secured under the last preceding Section shall on conviction be punished with fine which may extend to five hundred rupees.

Sample of articles seized to be sent to the Public Analyst.

10. When any article of food seized under Section 8 appears to the local Food Inspector to be adulterated or other than what it purports or is represented to be, he shall forthwith send a sample of such article to the Public Analyst.

Production of articles, etc., seized before Magistrate and power of Magistrate to deal with them.

11. (1) Articles of food or samples thereof, utensils or vessels seized under Section 8, shall as soon as possible be produced before a Magistrate:

Provided that where a sample or an article has been sent to the Public Analyst the article or sample thereof may be produced before the Magistrate after receipt of the Public Analyst's certificate.

(2) Whether or not complaint is laid before the Magistrate of any offence under the Travancore Penal Code or under this Regulation, if it appears to the Magistrate on taking such evidence as he thinks necessary that any such article is adulterated or other than what it purports or is represented to be, or any such utensil or vessel is of such kind or in such state as is described in Section 8 he may order the same,

(*a*) to be forfeited to Our Government, or

(*b*) to be destroyed at the charge of the owner or person in whose possession it was at the time of seizure in such manner as to prevent the same being again exposed or hawked about for sale or used for human food or for the manufacture or preparation of or for containing any such article as aforesaid, or

(*c*) otherwise disposed of.

Purchaser may have food analysed.

12. (1) Any purchaser of any article of food shall be entitled, if a Public Analyst has been appointed for the local area within which such article is purchased, on payment of such fees, if any, as may be prescribed, to have such article analysed by such Public Analyst and to receive from him a certificate of the result of his analysis.

(2) Before sending such article to be analyed as aforesaid the purchaser shall notify to the seller his intention to have it so analysed; and the public Analyst on receiving such article for analysis shall divide it into three parts, of which one is to be analysed, another to be retained by him in order to be returned with his certificate and the third to be delivered on demand to the seller: Provided that each part other than the part analysed shall be marked and sealed or fastened up in such manner as its nature permits.

Power of local Food Inspector to purchase samples for analysis

13. (1) The local Food Inspector or any person authorised by him in writing in that behalf may require, on tendering the price for it, the sale to him during the process of manufacture, for the purpose of analysis, of such quantity of,

(i) any food, or
(ii) any ingredients used in the manufacture of food,

as is reasonably requisite for division and disposal under Section 14, and any person in possession of the said food or ingredients shall be bound to sell such quantity.

(2) The local Food Inspector or any person authorised by him in that behalf may also require the surrender to himself, for the purpose of analysis, of such quantity as is reasonably requisite for division and disposal under Section 14, of any food which for the purpose of sale is—

(*a*) in course of transit in any local area, or

(*b*) stored in any place in any local area

and any person in possession of the said food shall be bound to surrender such quantity:

Provided that in every such case the price of the food so surrendered shall be payable to the owner of the food, if claimed by such owner within one month from the date of the said surrender.

(3) The local Food Inspector or any person authorised by him in writing in that behalf may also require, by tender of the price, the sale to him, for the purpose of analysis, of such quantity of any food

exposed or intended for sale, as is reasonably requisite for vision and disposal under section 14 and any person in possession of or exposing the same for sale shall be bound to sell such quantity.

(4) Every person who refuses to sell or surrender food to the local food Inspector, or to the person duly authorised by him, as required by sub-sections (1), (2) and (3) shall be punished with fine which may extend to rupees one hundred.

Procedure for analysis of food.

14. (1) The local Food Inspector or other person who purchases, for the purpose of analysis, a sample of food under Section 13, sub-section (1) or sub-section (3), shall, after the purchase has been completed, forthwith notify to the seller, or his agent selling the article, his intention to have the same analysed and shall divide the article into three parts, to be then and there separated, and each part to be marked and sealed or fastened up in any manner which its nature will permit.

(2) The person purchasing the sample shall deliver one of the said parts to the seller or his agent, and shall retain another part for future comparison or production in case proceedings are taken and shall send the remaining part, if he deems it right to have the article analysed, to the Public Analyst appointed for the local area where the article is sold.

(3) When any food is surrendered under Section 13, sub-section (2), the person to whom it is surrendered shall forthwith notify to the person in charge of the said food his intention to have the same analysed and shall thereupon deal with the food so surrendered in the manner provided in sub-sections (1) and (2).

(4) If the seller or his agent or the person in charge of the food declines to accept one of the parts, the local Food Inspector or other person shall inform the Public Analyst of the fact when sending the sample for analysis and the public Analyst on receiving the sample for analysis shall divide it into two parts and shall seal or fasten up one of those parts and shall cause it either upon receipt of the sample or when he delivers his certificate, to be delivered to the person who sent the sample or to the local Food Inspector who shall retain it for future comparison or production in case proceedings are taken.

Public Analyst certificate.

15. (1) Every public analyst to whom a sample has been sent under this Regulation shall deliver to the person so sending it a certificate in the form prescribed in the schedule to this Regulation, or to the like effect, specifying the result of his analysis.

(2) Any document purporting to be such certificate signed by a Public Analyst may be used as evidence of the facts stated therein in any proceedings under this Regulation or under Sections 270 and 271 of the Travancore Penal Code:

Provided that any Court before which a case under this Regulation may be pending, whether exercising original, appellate or revisional jurisdiction, may in its discretion, at the request either of the

accused or of the complainant, cause any article of food to be sent for analysis to any expert analyst in food stuffs who may thereupon analyse the same and report the result of such analysis to the said court; and the expense of such analysis shall be paid by the accused or the complainant as the court may by order direct.

Jurisdiction of Magistrates.

16. Magistrates of the Third Class shall not try any offence under this Regulation.

Condition of institution of prosecutions.

17. No Prosecution under this Regulation shall be instituted except on the complaint of the purchaser or of the local Food Inspector or with the consent in writing of the local Food Inspector or under the sanction of Our Government.

Limitation period for prosecution.

18. No prosecution under this Regulation shall be commenced after the expiry of three months after the commission of the offence.

Power to declare normal constitutents of articles of food.

19. Our Government may declare the normal constituents of any article of food and may determine, by rules in this behalf, what deficiency in any of these constituents, or what addition of extraneous matter or proportion of water in a sample of any article of food, shall for the purpose of this Regulation, raise a presumption until the contrary is proved that the article of food is not genuine or is injurious to health; and a Public Analyst shall have regard to such rules in certifying the result of an analysis under this Regulation.

Power to make rules.

20. (1) Our Government may, consistently with the provisions of this Regulation and after previous publication, make rules to carry out the purpose of this Regulation for the whole or any part of the area to which this Regulation may have been extended.

(2) In particular and without prejudice to the generality of the foregoing power, our Government may make rules for:

(*a*) the appointment, removal and qualifications of, and the exercise of functions by, Public Analysts and local Food Inspectors;

(*b*) prescribing the classes or qualifications of persons to whom, and the conditions on which, the local Food Inspector may under Section 3 delegate his powers or duties;

(*c*) determining the local limits within which any local Food Inspector or any person delegated by him under Section 3 may exercise his functions;

(*d*) prescribing standards of purity for milk, cream, butter, curds, buttermilk, ghee, tea or coffee or any other food;

(*e*) prescribing the fees to be charged for the analysis of any article of food under this Regulation and the manner of paying or realising the same;

(*f*) prescribing in the interests of the public health, the state in which utensils and vessels used for manufacturing, preparing, or containing any food intended for sale shall be kept, and prohibiting the

use of utensils and vessels made, in whole or in part, of meterials likely to injure such food ;

(*g*) determining what deficiency in any of the normal constituents of milk, cream, butter, curds, buttermilk, ghee, tea or coffee or any other food or what addition of any extraneous matter or proportion of water in any of the same or any preparation of the same shall for the purpose of this Regulation raise a presumption until the contrary is proved that those articles of food are not genuine or are injurious to health ;

(*h*) prohibiting or regulating in the interests of public health—

(i) the addition of water or other diluent or adulterant to any food ;

(ii) the abstraction of any ingredients from any food; and

(iii) the sale of any food to which such addition and from which such abstraction has been made or which has been otherwise artificially treated ;

(*i*) providing for the manner in which any receptacle containing dried, condensed, skimmed or separated milk is to be labelled or marked ;

(*j*) authorising the persons taking samples of any food for the purpose of analysis under this Regulation to add preservatives to such sample for the purpose of maintaining it in a suitable condition for analysis and regulating the nature of such preservatives and the method of adding them.

(3) In making the rules Our Government may direct that a breach of any rule shall be punished with fine not exceeding rupees one hundred on a first conviction and not exceeding rupees five hundred on any subsequent conviction.

Power of local authorities to make bye-laws.

21. Every local authority exercising control over any local area to which this Regulation has been extended may, under the provisions respecting the making of byelaws of the Regulation if any under which such local authority is established, make bye-laws not inconsistent with this Regulation or the rules made thereunder for all the purposes of this Regulation and in particular, without prejudice to the generality of the power hereby given, for the prevention of the manufacture or prepartion for sale, the exposure for sale, or hawking about, or the sale, of articles of food, which are adulterated or other than what they purport or are represented to be and the inspection and regulation of places in which such articles are kept, stored, packed, cleansed, manufactured, prepared or exposed for sale, hawked about or sold.

This Regulation supplemental to the law of local authorities.

22. The provisions of Sections 2 to 21 of this Regulation shall be read, as supplemental to the Regulation, if any, under which the local authority, concerned is constituted.

Repeal of a provision of the Municipal Regulation.

23. Section 188 of the Travancore Municipal Regulation, V of 1095, is hereby repealed.

SCHEDULE.

Form of Certificate.

To*

I, the undersigned, Public Analyst for the , do hereby certify that I received on the day of 19 from† a sample of for analysis (which then weighed‡) and have analysed the same and declare the result of my analysis to be as follows:—I am of opinion that the same is a sample of genuine

or

I am of opinion that the said sample contained the parts as under, or the percentages of foreign ingredients as under:—

§ Observations. Signed this day of 19 at

A. B.

In the case of a certificate regarding milk, butter, curds, buttermilk, ghee or any article liable to decomposition, the Analyst shall specially report whether any change had taken place in the constitution of the article that would interfere with the analysis.

*Here insert the name of the person sending the article for analysis.

†Here insert the name of the person delivering the sample. If the sample is received by post or by railway, entry should be made accordingly.

‡When the article cannot be conveniently weighed, this passage may be erased or the blank may be left unfilled.

§Here the Analyst may insert at his discretion his opinion as to whether the mixture (if any) was for the purpose of rendering the article potable or palatable, or of preserving it, or of improving the appearance, or was unavoidable, and may state whether it was in excess of what is ordinary or otherwise and whether the ingredients or materials mixed are or are not injurious to health.

Huzur Cutcherry,
Trivandrum, 10th February 1931.

P. N. Krishna Pillai,
Secretary to the Legislative Council.

Supplement III.

Rule 5 (1) of Order No. IX in the Schedule attached to the Civil Procedure Code, Regulation VIII of 1100, as amended by the High Court under Section 91 of the Civil Procedure Code.

AS SETTLED BY THE COUNCIL.

"5. (1). Where, after a summons has been issued to the defendant or to one of the several defendants and returned unserved, the plaintiff fails, for a period of three months from the date of the return made to the court by the officer ordinarily certifying to the court returns made by the serving officers, to apply for the issue of a fresh summons, the court shall make an order that the suit be dismissed as against such defendant, unless the plaintiff has within the said period satisfied the court that—

(*a*) he has failed after using his best endeavours to discover the residence of the defendant who has not been served or

(*b*) such defendant is avoiding service of process or

(*c*) there is any other sufficient cause for extending the time,

in which case the court may extend the time for making such application for such period as it thinks fit".

Huzur Cutcherry,
Trivandrum, 10th February 1931.

P. N. KRISHNA PILLAI,
Secretary to the Legislative Council.

Supplement IV.

REPORT OF THE SELECT COMMITTEE ON THE TRAVANCORE REVENUE RECOVERY REGULATION AMENDMENT BILL.

THE REVENUE RECOVERY REGULATION AMENDMENT BILL.

We, the undersigned, members of the Select Committee appointed to consider the Bill noted above, have considered it and beg now to report as follows:—

1. The majority of us are of opinion that the Bill may be passed as it is and that it does not require any amendment.

2. The Bill does not require republication.

3. The Bill as approved by the Committee is appended hereto.

Subject to a dissenting note.

Sd. A. Thanu Pillai
Sd. K. P. Nilakanta Pillai
Sd. Mathew Murikkan
Sd. A. S. Damodaran Asan

Sd. K. A. Krishna Aiyangar.
Sd. S. Piraviperumal Pillai.
Sd. P. N. Krishna Pillai.
Sd. R. Krishna Pillai.
Sd. K. George.
2-3-31.

Sd. K. Paramesvaran Pillai.

REVENUE RECOVERY REGULATION AMENDMENT BILL.

SELECT COMMITTEE DISSENTING MINUTE.

Though officers of Government and of popular bodies like Municipalities and other local authorities may be given the powers to be exercised by Peishkars, Tahsildars and Parvathyars under the Revenue Recovery Regulation it is our opinion that it is unsafe and opposed to public policy to confer such powers on persons who are employed by a private concern like the Sree Padom Palace and who are not amenable to the disciplinary control of Government. We propose therefore that the following be substituted for the explanation suggested in the Bill.

"The expression officer means and includes for the purposes of this Section every officer of Our Government and every officer of a Municipality or of any other local authority but not any employee of the Sree Padom Palace."

Trivandrum,
23rd Kumbham 1106.

Sd. A. Thanu Pillai.
Sd. K. P. Nilakanta Pillai.
Sd. A. S. Damodaran Asan.

Huzur Cutcherry,
Trivandrum, 16th March 1931.

P. N. KRISHNA PILLAI.
Secretary to the Legislative Council.

Supplement V

THE REVENUE RECOVERY REGULATION AMENDMENT BILL.

As approved by the Select Committee.

A Bill further to amend the Revenue Recovery Regulation, 1068.

Whereas it is expedient further to amend the Revenue Recovery Regulation, Regulation I of 1068, as amended by Regulations III of 1087, VIII of 1094, X of 1097 and II of 1099 for the purpose hereinafter appearing; It is hereby enacted as follows:—

Short title. 1. This Regulation may be called the Revenue Recovery (Amendment, Regulation, 110 .)

Amendment of Section 58. In Section 58 of the Revenue Recovery Regulation, Regulation I of 1068 as amended by Regulations, III of 1087, VIII of 1094, X of 1097 and II of 1099 the following shall be added as an Explanation namely—

"Explanation. – The expression "officer" includes, for the purposes of this Section, every officer of Our Government and every officer of a Municipality as also every person employed for, engaged in, or responsible for, the collection of any public revenue or the dues of any local authority".

P. N. Krishna Pillai,
Secretary to the Legislative Council.

16th March 1931.

Appendix I.

MR. A. S. DAMODARAN ASAN'S AMENDMENT TO STANDING ORDER No. 56 OF THE LEGISLATIVE COUNCIL STANDING ORDERS.

[*As settled by the Council.*]

Substitute the word 'three' for the word 'five' after the word 'given' and before the word 'clear' in line 1 of Standing Order No. 56.

The Standing Order as amended will read as follows:—

"56. If notice of a motion to omit or reduce any grant has not been given *three* clear days before the day on which the demand is to be considered any member may object to the moving of the motion and such objection shall prevail unless the President in the exercise of his power to suspend the Standing Order allows the motion to be made."

(The word in italics is the word substituted by the amendment.)

Huzur Cutcherry, Trivandrum, 6th April 1931.

C. O. MADHAVAN,
Secretary to the Legislative Council.

Appendix II.

R. O. C. No. 1163 of 30/Legis.

Leave has been granted at the meeting of the Legislative Council held on the 17th December 1930 for the introduction of the following Bill.

Huzur Cutcherry, Trivandrum, 31st March 1931. } C. O. MADHAVAN, *Secretary to the Legislative Council.*

THE TRAVANCORE KSHATRIYA BILL.

Preamble.

Whereas it is expedient to define and amend the law relating to marriage, succession, adoption, Tarwad management and maintenance of the Kshatriyas (excluding the members of the Royal Family of Travancore); It is hereby enacted as follows :—

CHAPTER I.

PRELIMINARY.

Short title and commencement.

1. (1) This Regulation may be called the Travancore Kshatriya Regulation of

(2) It shall come into force on

Application.

(3) It shall apply to all the members of the Kshatriya Community (excluding the members of the Royal Family of Travancore) domiciled in Travancore, and to such Kshatriyas not so domiciled and non-Kshatriyas, whether so domiciled or not, as have, or shall have, marital relations with Kshatriyas domiciled in Travancore and also to such other communities as the Government may extend this Regulation by publication in the Government Gazette, and in the manner provided under this Regulation.

Definitions.

2. In this Regulation, unless there is something repugnant in the subject or context:—

(1) "Kshatriya" includes Koil Thampurans, Rajas, Tampans, Pandarathils, Thirumulpods and others known or recognised as Kshatriyas,

(2) "Marumakkatayam" means the system of inheritance in which descent is traced in the female line.

(3) "Tavazhee of a female" means a group of persons consisting of that female and her issue how-low-so-ever in the female line or such of that group as are alive.

(4) "Tavazhee of male" means the tavazhee of his mother.

(5) "Collateral Tavazhee" are tavazhees of females who, though descended from a common ancestress do not stand in the direct line of ascent or descent from one another.

(6) "Tarwad" means and includes all the members of a marumakkatayam family, with community of property.

(7) "Karanavan" means the senior major male member of the tarwad in whom the headship of the tarwad, the right of management of its affairs and the possession of the properties thereof are vested in law and, in the absence of such male member, the senior major female member.

(8) "Anandaravan" means any member of a tarwad other than the karanavan.

(9) "Senior Anandaravan" means the major anandaravan who for the time being is next in the order of succession to karanavasthanom in the tarwad.

(10) "Minor" means a person who has not completed eighteen years of age.

(11) "Prescribed" means prescribed by rules made by Government under this Regulation.

CHAPTER II.

Marriage and its Dissolution.

Conjugal unions of Kshatriya females to be valid marriages.

3. The conjugal union of a Kshatriya female, subject to the accepted restrictions of consanguinity with

(i) any Kshatriya male, or

(ii) any male other than a Kshatriya with whom conjugal union is permitted according to recognised social custom and usage;

solemnised by the tying of the Mangalya Sutram round the neck of the female by the male or in any other socially recognised manner with the intention of living as husband and wife thereafter and publicly notified by such person in such form and to such authority and within such time as prescribed by Government under this Regulation to that effect, whether so solemnised before the date on which this Regulation comes into force and subsisting on such date or, so solemnised and notified after this Regulation comes into force, shall be deemed to be valid marriage for all legal purposes:

Provided that, in conjugal unions so solemnised after the date on which this Regulation comes into force, in the case of a male who has not completed eighteen years of age, or of a female who has not completed sixteen years of age, such conjugal union shall not be deemed to be a valid marriage, unless it takes place with the consent of his or her legal guardian.

Dissolution of marriage

4. Such marriage may be dissolved only in one of the following ways, that is to say:—

(i) by the death of either party, or by a presumption of the Court to that effect, or

(ii) by mutual consent evidenced by a registered document, or

(iii) by a formal order of dissolution as hereinafter provided.

Petition for dissolution of marriage.

5. A husband or wife may, notwithstanding anything contained in the Civil Courts Regulation, present a petition for dissolution of the marriage under Section 4, clause 3, in the Court of the District Munsiff within the local limits of whose jurisdiction the marriage takes place or petitioner or respondent resides, carries on business, or personally works for gain, and the petitioner shall, in all cases offer in the petition reasonable compensation to the respondent except where such respondent has changed his or her religion or has committed adultery:

Provided that the wife shall herself be competent to apply for divorce if she has completed eighteen years of age.

Reasonable compensation how determined.

6. What is reasonable compensation shall, in case of dispute, be determined by the Court after an enquiry into the position, means and circumstances of the parties, but without going into the grounds of the proposed dissolution.

Notice to be given to the respondent.

7. A copy of such petition as aforesaid shall be served on the respondent at the expense of the petitioner, and in the manner provided for the service of summons on a defendant in the Code of Civil Procedure.

When and how order of dissolution passed.

8. Six months after the service of the copy as aforesaid, if the petition is not withdrawn in the meantime, the Court shall, after determining the amount of compensation, declare in writing the marriage dissolved. The dissolution shall take effect from the date of the order declaring it.

So far as it decrees payment of compensation such order shall be executable and appealable as a decree under the Code of Civil Procedure, on payment of Court fees on the amount adjudged or claimed as the case may be:

Provided that all inquiries relating to dissolution of marriage and determination of compensation shall be held in camera and that

publication of any account of such proceedings, except the final order and the decree thereon, shall be punishable with simple imprisonment for a term of six months, or with fine which may extent to Rs. 1,000 or both.

Subsequent marriage of a female during continuance of prior marriage is void.

9. The marriage of a Kshatriya female during the continuance of a prior marriage and performed after this Regulation is void.

CHAPTER III.

GUARDIANSHIP.

Guardianship of minor wife and children.

10. (1) The husband shall be the legal guardian of his minor wife in respect of her person and separate property.

(2) Save as regards married daughters under the guardianship of their husbands, the following persons, in the order named, shall be the legal guardians of the minor children in respect of their person and separate property, namely, the mother uterine brothers, father, mothers brothers and the major male members of the grandmother's thavazhee how-high-so-ever.

Provided that the father shall be the legal guardian only so long as his marriage with the mother of such minor children be subsisting, or was subsisting at the time of such mother's death if she be dead.

(3) The karanavan of the tarwad and the senior adult male member, or in his absence the senior female member, of their tavazhee shall be the guardian of such minors in respect of their tarwad and tavazhee property respectively.

CHAPTER IV.

TESTAMENTARY SUCCESSION.

Extent of testamentary power.

11. A Kshatriya may dispose of by will the whole of his (or her) self-acquired or separate property and may appoint an executor or executors to administer the will; Sections 5, 6 and 7 of Regulation VI of 1074 are hereby repealed.

CHAPTER V.

INHERITANCE AND INTESTATE SUCCESSION.

Wife and children entitled to a half share in the self-acquired property.

12. On the death of a Kshatriya male, leaving him surviving a widow or widows or children or lineal descendants of deceased children or all, they shall if the deceased has marumakkathayam heirs be entitled to one half of the self-acquired and separate property left undisposed of by him at his death and if there are no such heirs, such widow or widows or children or the lineal descendants of deceased children or all shall entitled to the whole of such property.

Explanation. The term "widows" shall include Kshatriya as well as non-Kshatriya widows. Non-Kshatriya widows, children and descendants of such children have equal rights as Kshatriya widows, children and children's descendants to the estate of their deceased Kshatriya husband.

Possession of a Kshatriya's property on his death.

13. On the death of a Kshatriya male, leaving him surviving widows or children or lineal descendants of deceased children, or all and marumakkathayam heirs, the senior male member among the lineal descendants or, in the absence of an adult male member the senior female member or the Kshatriya widow among the widows, shall have the possession of such property as is referred to in Section 12, until a division is effected.

Rules of distribution of intestate estate under Section 12.

14. The distribution of the estate under Section 12 shall be according to the following rules :—

(i) The widow, or widows if there are more than one, shall each be entitled to a share equal to that of a son or daughter in the moiety or whole of the self-acquired or separate property of the deceased, as the case may be.

(ii) Sons and daughters shall take equal shares in such property.

(iii) Grand-children shall take in equal shares what their father or mother would have taken had he or she survived the intestate. In like manner, the property shall go to the surviving lineal descendants of the intestate where they are all in the degree of great grand children to him or in a more remote degree.

Proviso. The Kshatriya widows as well as the non-Kshatria widows of the deceased, if any, as also their children and lieneal descendants of deceased children shall have the same rules of distribution of property under Section 12 and equal rights in the property irrespective of their caste.

Devolution of self-acquired property of a Kshatriya male.

15. On the death of Kshatriya male, if he has left him surviving his widow or children, or lineal descendants of deceased children or all, one half or if he has neither widow nor children nor lineal descendants of deceased children, the whole of the self-acquired or separate property, shall devolve on his mother's tavazhee.

Where the intestate has left only his grand-mother's tavazhee.

16. On the death of a Kshatriya male leaving him surviving none of the heirs mentioned in Sections 12 and 15 but only his grand mother's tavazhee, the whole of his self-acquired or separate property left undisposed of by him at his death shall devolve on his grand-mother's tavazhee.

17. On the death of a Kshatriya male, leaving him surviving none of the heirs mentioned in Sections 12, 15 and 16 but only his father and his great-grand-mother's tavazhee, one half of the self-acquired and separate property left undisposed of by him at his death shall devolve on his father and the other half on his grand mother's tavazhee.

Where the intestate has left only his father and great-grand-mother's tavazhee.

In the absence of a great-grand-mother's tavazhee, the father shall take the whole and in the absence of the father the great-grand-mother's tavazhee shall take the whole.

Proviso. The father shall not be entitled to a share under this Section if his marriage with the deceased's mother has been dissolved in any manner other than by death of the wife.

18. On the death of a Kshatriya male leaving him surviving none of the heirs mentioned in Sections 12, 15, 16 and 17 the self-acquired and separate property left undisposed of by him at his death shall devolve on the tavazhee of his more remote female ascendants, the nearer excluding the more remote.

Where the intestate has left none of the heirs mentioned in Sections 12, 15 16 and 17.

19. On the death of a Kshatriya female the whole of the self-acquired or separate property left undisposed of by her at her death shall devolve on her own tavazhee and in the absence of any member in such tavazhee it shall devolve on the tavazhee of her mother.

Devolutions of the self-acquired property of a Kshatriya female.

20. On the death of a Kshatriya female, leaving her surviving none of the heirs mentioned in Sections 19, but only her grand-mother's tavazhee, the whole of her self-acquired or separate property left undisposed of by her at her death shall devolve on her grand-mother's tavazhee.

Where the intestate has left only her grand-mother's tavazee.

21. On the death of a Kshatriya female, leaving her surviving none of the heirs mentioned in Sections 19 and 20 but only her husband and her great-grand-mother's tavazhee, one half of her self-acquired or separate property left undisposed of by her at her death shall devolve on her husband and the other half on her great-grand-mother's tavazhee.

Where the intestate has left her husband and great-grand-mother's tavazhee only.

In the absence of the great-grand-mother's tavazhee the husband shall take the whole, and in the absence of the husband the grand-mother's tavazhee shall take the whole.

Proviso. The husband shall not be entitled to a share under this Section if his marriage with the deceased has been dissolved in any manner other than by death of his wife.

22. On the death of a Kshatriya female leaving her surviving none of the heirs mentioned in Sections 19, 20 and 21, the self-acquired and separate property left undisposed of by her at her death shall devolve on the tavazhee of her more remote female ascendants, the nearer excluding the more remote.

Where the intestate has left none of the heirs mentioned in Sections 19, 20 and 21.

23. The senior male member, or in the absence of a male member, the senior female member of a tavazhee, shall have the right to the possession and management of the properties inherited by the tavazhees under Sections 15 to 22 and the members of such tavazhees shall take the inheritance as joint with the incidents of tarwad property.

Possession of property inherited under Sections 15 to 22.

24. On the death of a non-Kshatriya male, marrying a Kshatriya female after the commencement of this Regulation, or whose marriage with a Kshatriya female is subsisting on the date of the commencement of this Regulation, and leaving him a Kshatriya widow or children or lineal descendants of deceased children or all, with or without non-Kshatriya widows or children or grand-children the devolution of his self-acquired or a separate property shall be as follows:

Where the intestate non-Kshatriya male has left Kshatriya widow, children or lineal descendants of deceased Kshatriya children.

(i) If the deceased has left heirs according to the law by which he is governed as also Kshatriya and other non-Kshatriya widows, children and lineal decendants of deceased children through all such widows, such legal heirs, Kshatriya widows, other non-Kshatriya widows, children and lineal descendants of deceased children through all such widows shall all take an equal share in the estate of the deceased; such descendants of children taking between themselves equally what their parent would have taken had he or she survived the intestate.

(ii) If the deceased has left only a Kshatriya widow with or without children and lineal descendants of deceased children, such widow and children and the lineal descendants of deceased children, if any, shall take the moiety of such property and the other half shall go to the heirs of the deceased according to his personal law.

(iii) If the deceased has left no heirs according to the law by which he is governed the whole of such property shall devolve upon his widow or widows, irrespective of caste, children and lineal descendants of deceased children or such of them as are living at the time of his death in the manner given in sub-clauses (i) and (ii) above.

Proviso. Nothing in this Section shall confer any rights on a party to or the off-spring of a marriage dissolved before the commencement of this Regulation.

Note. Section 21 of the Nayar Regulation II of 1100 and Section 15 of the Malayala Brahmin Regulation III of 1106 have to be amended in the light of Section 24 above.

25. Property obtained from the husband or father by the wife or widow or widows and child or children and lineal descendants of deceased children, by gift or inheritance, shall, unless in the case of gift a contrary intention appears from the instrument of gift, belong to the wife or widow and each of the children and descendants of deceased children in the manner povided for in Section 14 with right to individual partition.

Division between children to be per capita.

CHAPTER VI.

THE TARWAD AND ITS MANAGEMENT.

26. Every member of a tarwad has a proprietory interest in its properties. The karanavan shall have the right of management and of possession, on behalf of the tarwad of its properties including the Devaswom and other institutions over which the tarwad has *Uraima* or such other right subject to the provisions hereinafter contained.

Karanavan to have management and possession of tarwad properties.

27. No karanavan shall delegate his powers to any one, but may appoint managers under registered power of attorney for managing tarwad properties and doing other things incidental to its management.

Delegation of powers by Karanavan.

28. The karanavan or the manager for the time being of a tarwad shall keep a correct and true account of the income and expenditure of the tarwad. A majority of the junior members of the tarwad may authorise one among themselves by a registered instrument for examining the tarwad accounts and for performing the duties and obligations of the senior anandaravan as recognised by law or custom. The original of the accounts of each year shall be open to inspection in the tarwad house for any of the major anandaravans at least once a year towards the last week of Karkatakam or the first week of the succeeding Chingom.

Accounts of expenditure to be maintained.

(1) When a junior member is appointed for examining tarwad accounts, as above mentioned, all the tarwad accounts and records shall be open for inspection and scrutiny at all reasonable times by this representative and he has a right to know about all transactions in the family management.

(2) Such anandaravan shall inspect the original of the tarwad accounts at least twice a year in Kumbham and Chingom and inform the other major anandaravans the result of such inspection.

(3) In such tarwards, where a seventy five per cent. majority of the junior major anandaravans notify the karanavan in writing, the karanavan is bound to manage the tarwad generally in accordance with a budgeted income and expenditure assented to every year by such majority of the major members of the tarwad:

Provided that the karanavan shall have the right to act on his initiative in cases of great emergency but always in the best interests of the tarwad.

Provided also that the karanavan shall be entitled to spend an amount not exceeding 5 per cent. of the annual income of the tarwad subject to a maximum of Rs. 500 for charity, customary contributions, social and religious functions, public subscriptions, entertainment of guests and other miscellaneous purposes expected to contribute to the status or welfare of the tarwad, the accounts for which will have nevertheless to be kept.

Inventory of tarwad properties to be kept for inspection.

29. In every tarwad, the karanavan or manager for the time being shall maintain a true and correct inventory of all the properties moveable and immoveable and all liabilities of the tarwad renewed from time to time and shall be open to inspection by major anandaravans once a year at any time on a joint notice of one month given previously by any major anandaravan.

Alienation of tarwad properties.

30. Except for consideration and tarwad necessity, and with the written consent of all the major members of the tarwad no karanavan or other managing member shall sell tarwad moveable or immoveable property or lease it with advance receipt of pattom for more than one year or lease it without the same for a period of more than three years or mortgage it with possession or hypothecate it or make a gift or otherwise alienate it or obtain discharges of mortgages with or without possession.

Explanations :—

(1) For the purpose of this Section moveables include ornaments, vessels and other valuables, and do not include usufructs and grains realised in the shape of pattom.

(2) In case of discharges of mortgages with or without possession the consent of the anandravans shall be presumed when notices are given to them duly and a dissent is not notified in reply within the time fixed by a majority of them.

(3) Nothing in this Section shall affect the right of the karanavan to execute solely renewals of *kanom* deeds already executed.

(4) Tarwad necessity may be presumed to exist if the transaction has the written consent of all the adult senior anandravans of the tarwad.

Debt to be binding shall be for tarwad necessity.

31. No debt contracted by the karanavan or other managing member shall bind the tarwad unless it be for tarwad necessity.

Presumption as to tarwad necessity.

32. Where a karanavan creates a lease without any premium for a period of three years or less or with any premium for one year, in respect of tarwad property or incurs a debt, alleging the existence of tarwad necessity, such necessity shall, as between the lessee or creditor on the one par

and the members of the tarwad who have not assented to the lease or debt on the other part, be presumed to have existed, if the lessee or creditor, after using reasonable care to ascertain the existence of such necessity, has acted in good faith.

Burden of proving tarwad necessity.

33. The burden of proving tarwad necessity shall be on the purchaser, mortgagee, lessee, pledgee or other alienee or creditor as the case may be. But the Court may presume such necessity under conditions detailed in explanation (4) to Section 30 and Section 32 above.

Surrender of right of management allowed.

34. Any member of a tarwad shall be at liberty to give up the right of management as karanavan by a unilateral surrender, evidenced by a registered instrument, after such management becomes vested in him by law.

What decree shall bind the tarwad.

35. No decree shall bind a tarwad unless it is obtained in a suit against the karanavan as such and all the members of the tarwad.

The above provisions to apply to branch managers also.

36. The above provisions relating to tarwad karanavan shall apply also to the member in management of branch tavazhees, under Section 23 above, or otherwise.

CHAPTER VII.

MAINTENANCE.

All members entitled to maintenance from the tarwad.

37. Every member of a tarwad shall be maintained by the tarwad whether such member lives in the tarwad house or not.

Explanation.—Maintenance includes, food, clothing, expenses of eduaction, medical treatment and a small provision for miscellaneous expenses all consistent with the income and status of the tarwad.

Amount of maintenance how fixed.

38. Every member of a tarwad shall be entitled to get as yearly maintenance that share of the yearly net income of the tarwad properties which would fall to the share of one member if a division *per capita* were made of such income amongst all the living members of the tarwad, the Karanavan alone being allowed a double share and the children below sixteen years of age being allowed only half a share of an adult.

Explanation.—Net income in the Section means, the yearly income accruing to the tarwad from the tarwad properties minus the taxes and other dues, collection expenses and expenses of cultivation and building maintenance, such expenses not exceeding 25 per cent. of the gross income from the tarwad properties.

39. Every adult member or a majority of adult members belonging to one tavazhee, seeking such maintenance shall, in case the amount of the maintenance exceeds Rs. 100 per year, have the option of asking for separate allotment of tarwad properties whose annual yield would be equivalent to the amount of maintenance claimable by such member or members of the tavazhee and such member or members of the tavazhee are entitled to get properties allotted for the maintenance of himself or herself or for the members of such tavazhee jointly.

Right to separate allotment.

Explanation.—When property is allotted for the maintenance of a tavazhee jointly, the senior male member or in his absence the senior female member shall be in possession and management of such property and shall pay due maintenance to the other members of such tavazhee.

40. Any major member of a tarwad who has a minor or minors under his or her guardianship, is entitled to get property allotted for the maintenance of such minor or minors in the manner and subject to the conditions stated in Section 39 above.

Guardians entitled to allotment for maintenance due to their wards.

41. Properties shall be allotted to a member or members of the tarwad under a written agreement and such allotments shall be revised once every five years when a re-allotment shall be made on the basis of the number of members then existing:

Property allotment how made.

Provided that property once allotted to a member or tavazhee shall not be resumed by the karanavan except in case of waste or misuse of the property by member or members in possession and except where by the increase in the number of members the share of maintenance of such member or members has to be in any measure decreased and the property allotment to be consequently diminished.

Provided also that for purposes of re-allotment the property once allotted shall always be deemed to have the same annual yield as on the date of the first maintenance allotment.

42. Every member or members of a tavazhee who get tarwad properties allotted for their maintenance are entitled to cultivate such property in the ordinary manner in which they were being cultivated with ordinary prudence and carefulness until re-allotment or until they cease to be members of the tarwad but are not entitled to convert the property without the consent of all the adult members of the tarwad or to commit any waste so as to diminish the utility of such property.

Enjoyment of property allotted for maintenance.

43. Any maintenance allotment of property made in favour of any member or tavazhee of a tarwad is not revokable at the will of the karanavan and no new allotment could be made except once in a period of five years or except with the consent of all the members of the tarwad expressed in writing.

Allotment not revokable at karanavan's will.

44. Notwithstanding the provisions for maintenance from the tarwad detailed above the wife and minor children, except married daughters under the guardianship of their husbands, shall be entitled to be maintained by the husband or father, as the case may be :

Maintenance of wife and minor children.

Provided that the wife shall not be entitled to maintenance if she refuses to live with the husband without just cause or has changed her religion.

CHAPTER VIII.

ADOPTION.

45. Where a tarwad consists of only male members or of only female members past the period of child-bearing, or of both, the karanavan may, with the consent in writing of all the other members of the tarwad make an adoption for the purpose of perpetuating the family.

Adoption when and how to be made.

Such adoption may be of one or more females with or without males.

46. The adoptees shall have in the adopted family all rights and duties as appertain to the members born therein and shall be liable to take the customary sanction from the reigning Sovereign after payment of the customary dues, which shall be recovered as arrears of land revenue.

Rights and duties of the adoptees.

CHAPTER IX.

SUPPLEMENTAL PROVISIONS.

Saving.

47. Nothing in this Regulation shall—

(i) confer any right on parties to or the off-spring of, a marriage dissolved before it comes into force, when it can be so evidenced by the respondent in a Court of law; or

(ii) affect the existing rules of the Marumakkathayam Law, custom or usage of the Kshatriya community, except to the extent herein before expressly provided for.

48. Notice of a marriage under this Regulation shall be given by the karanavan or other guardian of the bride to such authority, in such form, and within such time as the Government may prescribe :

Notice of marriage.

Provided that this Section shall not apply to marriages subsisting on the date of the commencement of this Regulation.

49. The Government may extend the whole or any part of this Regulation by due proceedings and by publication in the Government Gazette, to 11 members of other communities governed by Marumakkathayam Law, other than Nayars, Ezhavas, Vellalas or Malayala Brahmins, when so requested by the representatives of such communities and when Government deem it desirable and expedient to do so.

Application how extended.

STATEMENT OF OBJECTS AND REASONS.

The present anomalous position of the Kshatriya community, as also the other smaller Marumakkathayam communities is too patent to require any detailed exposition. While the progress of social ideas in other Marumakkathayam communities, like the Nayar, the Vellala and the Ezhava, has been recognised in proper Regulations, no such enactment has as yet been made so far as the Kshatriyas and others are concerned, with the result that the natural development of these communities has been retarded. It is obvious that, unless legislature hastens to supply this long felt want, the future of these communities will continue to be far from prosperous. The present state of affairs is therefore, obviously unsatisfactory, and some enactment to define and amend the law of marriage, succession, maintenance and tarwad management is very much overdue. "In Marumakkathayam Law, the earlier views as to the powers of the karanavan have given way to the views reducing him to be a Manager. The other members have succeeded in vindicating their rights as co-owners and in liberating their right of maintenance from some of its harassing restrictions. Smaller groups of family units are being recognised for purposes of succession." Marriage relation has a clear legal as well as social recognition. The Nayar Regulation has already codified these ideas. The Nambudiris have now a Bill before the legislature to consolidate their personal law. The other Marumakkattayees also have to get a corresponding legal recognition for their social existence. The question of marriage affords a good illustration. If a Kshatriya female is married to a Nambudiri in the ordinary socially recognised manner, that marriage is not now legally recognised in any statute, while his similar marriage with a Nayar female, as also his marriage with a caste wife are considered legal unions.

Without abrogating the principles of the Marumakkathayam Law now accepted and followed, I have attempted to define and amend such law in the light of the already existing Nayar Regulation and other similar Regulations and in the light of the present progressive ideas. Though this measure is meant primarily for the Kshatriya community, Government are empowered to extend its application duly to other similarly placed marumakkathayee communities as well.

RAMA VARMA,
Member, Legislative Council.

Supplement I.

R. O. C. No. 1471 of 30/Legis.

Leave has been granted at the meeting of the Legislative Council held on the 17th December 1930 for the introduction of the following Bill.

Huzur Cutcherry, Trivandrum, 31st March 1931.

C. O. MADHAVAN,
Secretary to the Legislative Council.

A BILL TO AMEND THE TRAVANCORE NAYAR REGULATION II OF 1100.

Whereas it is expedient to amend the Travancore Nayar Regulation II of 1100 for the purpose hereinafter appearing; It is hereby enacted as follows:—

I (*a*) This Regulation may be called the Travancore Nayar Regulation Amendment Regulation 1106.

(*b*) It shall come into force as if it had been enacted as a part of Travancore Nayar Regulation II of 1100, that is to say, with effect from 1st Chingam 1101.

II. In the Travancore Nayar Regulation II of 1100, for section 41 the following shall be substituted, namely—

"41 (1) Property acquired by gift from the father or husband whether before or after the passing of Regulation I of 1088 shall in the absence of written evidence to the contrary be treated as the property of donees or divisees:

Provided that if any donee or divisee had died, his or her heirs shall stand in his or her place in respect of the property.

Provided further, if any such property has already been divided amongst the donees or divisees and of their tavazhees before the 1st of Vrischikam 1100, this provision of the Section shall not apply.

41 (2) If there is written evidence to show that the property acquired by gift or bequest was for the benefit of the donees or divisees and of their tavazhees such property shall be treated as a tarwad property of such donees or divisees and of their tavazhees and liable to partition under the provision of the Regulations relating to partition of tarawad property.

Illustration.

A has acquired property in the name of his wife **B** in 1087. There is no written evidence to show that the property was intended for the benefit of the tavazhee of **B**. The property shall be taken by **B** and her children alone as coowners and they may divide it equally amongst them."

STATEMENT OF OBJECTS AND REASONS.

As the law now stands properties acquired as makkatayam are taken and divided not only by the wife and children of the person from who m the properties were derived but also by the children and grand

children how-low-soever in cases where the makkatayam was acquired before the passing of Regulation I of 1088. This is quite an unnatural method of allowing the devolution of the properties. When the father gave the properties it may be possible that he desired that his children or their tavazhee should enjoy the properties in a corporate or undivided form. And in such cases it may said that the entire tavazhee of the children should also enjoy the properties - *after the life time of the children*. But if the propriities are to be divided it could not be that the father would intend that his son, say his eldest son, should take a share equal to one of his many many grand children and great grand children. It is quite unnatural to believe that any father would ordinarily intend like that. To remove the defect in the law, as it stands, this Bill is prepared and sought to be introduced Under this Bill the children of a father will take all makkatayam property equally. It is provided however that if any man intended his children and the tavazhee of his children should take the makkatayam properties as tarwad, that intention should be given effect to. There may be cases where partition has already been effected and rights might have vested. It is not proposed by this Bill to divest such rights. At the same time, it is not my desire that by reason of the proposal to introduce this Bill any person should rush to a partition to defeat the provisions of this measure in case it becomes law. It is therefore provided that partitions effected before the 1st of Vrischikam 1100 should not be affected by this measure.

29th Thulam 1106.

K. MADHAVAN PILLAI,
Member, Legislative Council.

Supplement II.

R. O. C. No. 604 of 30/Legis.

Leave has been granted at the meeting of the Legislative Council held on the 17th December 1930 for the introduction of the following Bill.

Huzur Cutcherry,
Trivandrum, 31st March 1931.

C. O. MADHAVAN,
Secretary to the Legislative Council.

THE TRAVANCORE PARTITION BILL.

Whereas it is expedient to amend the law relating to partition; It is hereby enacted as follows:—

1. (i) This Regulation may be called "The Travancore Partition Regulation of 110 .

(ii) It extends to the whole of Travancore.

(iii) It shall come into force at once.

2. If any suit for partition it appears to the court that any property in suit is incapable of actual division or that it cannot be divided without seriously lessening its value or utility or that by reason of the nature, extent or value of the property to which the suit relates, or of the number of the shareholders, therein, or of their poverty or of any other special circumstance, a division of the property cannot reasonably or conveniently be made and that a sale of the property and distribution of the proceeds would be more beneficial to all the shareholders, the court may, if it thinks fit, on the request of any such shareholders interested individually or collectively to the extent of one moiety or upwards direct a sale of the property and distribution of the proceeds.

3. (i) If in any case the court is requested to direct a sale under the last foregoing Section, any other shareholder applies for leave to buy at a valuation the share or shares of the party or parties asking for a sale, the court shall order a valuation of the share or shares in such manner as it may think fit and offer to sell the same to such shareholder at the price so ascertained, and may give all necessary and proper directions in that behalf.

(ii) If two or more shareholders severally apply for leave to buy as provided in sub-section (i) of this Section, the court shall order a sale of the share or shares to the shareholder who offers to pay the highest price above the valuation made by the court, provided that no stranger shall be allowed to bid at any such auction.

(iii) If no such shareholder is willing to buy such share or shares at the price so ascertained the applicant or applicants shall be liable to pay all costs of or incidental to the application or applications.

4. (i) Wherein a suit for partition by the transferee of a shareholder, any portion of a dwelling house or the land on which a dwelling stands falls to the share of such transferee, the court shall, if any member of

the family being a shareholder shall undertake to buy that portion of the dwelling house or land, make a valuation of the same in such manner as it thinks fit and direct its sale to such shareholder, and may give necessary and proper directions in that behalf.

(ii) If in any case described in sub-section (i) of this Section two or more shareholders severally undertake to buy, the court shall follow the procedure prescribed by sub-section (ii) of the last foregoing Section.

5. (i) Where a portion of a dwelling house or the land on which a dwelling stands or both belonging to a divided member of a family has been transferred to a person who is not a member of such family, any other member of that family who has any interest in such dwelling house or land or both shall have the right to purchase such portion from the transferee on payment to him of the value of the same.

(ii) In a suit to enforce the right under sub-section (i) all persons who have that right shall be made parties.

(iii) If in any suit to enforce the right under sub-section (i) of this Section two or more persons having that right severally undertake to buy such share the court shall follow the procedure prescribed by sub-section (ii) of Section 3 of this Regulation.

(iv) If in any suit to enforce the right under sub-section (i) of this Section the value of such portion is disputed, the court shall order a valuation of the same in such manner as it may think fit.

(v) In making a valuation of the property under this and the last foregoing Section it shall be lawful for the court to reduce but not to enhance the price at which the transfer has been made.

Explanation: "*Land*" in this and in the last foregoing Section shall also include the premises necessary for the beneficial enjoyment of the dwelling house.

6. In any suit for partition a request for sale may be made or an undertaking, or an application for leave to buy may be given or made on behalf of any party under disability by the guardian or by any person authorised to act on behalf of such party in such suit, but the court shall not be bound to comply with any such request, undertaking or application, unless it is of opinion that the sale or purchase will be for the benefit of the party under such disability.

7. (i) Every sale under Section 2 shall be subject to a reserved bidding and the amount of such bidding shall be fixed by the court in such manner as it may think fit and may be varied from time to time.

(ii) On any such sale, any of the share-holders shall be at liberty to bid on such terms as the court may fix regarding the deposit, payment of the purchase money into court or adjustment of the same in the final division.

(iii) If two or more persons of whom one is a share-holder in the property, respectively advance the same sum at any bidding at such sale, such bidding shall be deemed to be the bidding of the share-holder.

8. Save as hereinbefore provided, and subject to any such rules as may be made by the High Court under this Regulation, when any property is directed to be sold under this Regulation the procedure prescribed in respect of sales in execution of decrees shall be adopted.

9. Any order of sale made by the court under Sections 2, 3 or 4 shall be deemed to be a decree within the meaning of Section 3 of the Code of Civil Procedure.

10. When any member or branch of a joint family in separate possession of joint family property under a family arrangement has made improvements on such property whereby the value of such property has increased, such member or branch shall be entitled to the benefit of such improvements on the partition of the family property.

11. When any member or branch of a joint family in separate possession of joint family property under a family arrangement has wasted or wrongly alienated such family property, the court shall take such alienation or waste into consideration in determining the share of srch member or branch.

12. Notwithstanding anything contained in Section 39 of the Nayar Regulation of 1100 the member or branch of a joint family entitled to claim partition shall attain a divided status and acquire a definite share for the purposes of inheritance and alienation in one of the following ways :—

(*a*) by the presentation of a plaint for partition in a competent court accompanied by the process fees for the issue of summons to all the other members ;

(*b*) by an unequivocal declaration in writing registered immediately followed by the issue of registered notices through Anchal or Post to all the other members.

13. (i) The Government shall in accordance with the rules to be framed, appoint persons, within the jurisdiction of each District Munsiff, to be assessors in the division of properties according to the terms of the decree.

(ii) A list of the persons so appointed shall be sent to the respective Munsiff's Courts and to the District Courts within whose jurisdiction such Munsiff's Courts are situated.

(iii) The District Munsiff and the District Judge in nominating such persons shall, as far as possible, select persons from the communities to which the parties belong.

14. The High Court may from time to time make rules consistent with this Regulation for the purpose of carrying into effect the provisions of this Regulation.

Statement of Objects and Reasons.

With the introduction of the Nayar and the Ezhava Regulations of 1100, the law of partition has assumed considerable importance in our State. The developed individuality, the increasing economic stress and the Legislative sanction given by the above Regulations have made

partition a matter of common occurrence. The splitting up of small holdings result in the effacement of the ancestral homes of the poor families and in the economic degeneration of the country. The sharing of the same dwelling house by absolute strangers give rise to constant strifes and much heart burning. The absence of a definite law permitting the courts to award value for the improvements effected by co-owners or to assess damages for waste committed by them on properties allotted for maintenance lead to the deterioration of the joint family properties. The absence of an efficient machinery for the equitable division of properties by meets and bounds leads to the most unsatisfactory results. It is to remedy the above defects in the existing law that the present Bill is introduced.

A. S. DAMODARAN ASAN,
Member, Legislative Council.

Supplement III.

R. O. C. No. 1265/29/Legis.

Leave has been granted at the meeting of the Legislative Council held on the 17th December 1930 for the introduction of the following Bill.

Huzur Cutcherry, Trivandrum, 31st March 1931.

C. O. MADHAVAN, *Secretary to the Legislative Council.*

A BILL TO AMEND THE LAW RELATING TO INHERITANCE AND SUCCESSION AMONG MUSLIMS OF TRAVANCORE.

Preamble.

Whereas it is expedient to amend and define the rules of law applicable to intestate succession among the Muslims governed by the Marumakkatayam law of inheritance ; It is enacted as follows :—

Short title.

Section I. (1) This Regulation may be called "THE MUSLIM SUCCESSION REGULATION of 110 ;" and it shall come into force immediately.

Local extent.

(2) It extends to the whole of Travancore.

Persons to whom this Regulation is applicable.

(3) It applies to all Muslims of Travancore whether domiciled or otherwise who are governed by the Marumakkatayam law of inheritance and also in respect of immovable property situated within Travancore to such Muslims domiciled outside Travancore who are governed by the above said law of inheritance.

Property in respect to which a deceased Muslim is considered to have died instance.

Section 2. A person is considered to die intestate in respect of all property which he has not a testamentary disposition capable of taking effect.

Devolution of property.

Section 3. Such property shall devolve upon his heirs in the order and according to the rule of Mahomedan law notwithstanding any custom to the contrary.

STATEMENT OF OBJECTS AND REASONS.

A Muslim, according to the religion of Islam, is not allowed to follow any other law except the Islamic Law. According to the opinions of the Islamic Jurist, a Muslim who follows a non-Islamic Code for inheritance is outside the sphere of "the Islam,". Hence it is obligatory for all Muslims to be governed by the Islamic Law of Inheritance.

The Islamic Code of inheritance is accepted by all authorities of Jurisprudence as one of the best codes available on the subject.

Even communities that were governed by Marumakkatayam law from time immemorial have changed the law substantially and made their children also to inherit their property as their heirs. Partition has been accepted as the common feature of every Regulation at the modern time.

It is accepted by all reasonable people that individuality is the key-note of progress. The unhealthy competition between the manager of the tarwad and the other member is invariably perceived even in families which hold huge tarwad properties.

All the civilized communities considered that it is unnatural to leave one's children without inheriting his properties after his death.

It is unfortunate to see that some Muslims in Travancore are following the Marumakkatayam law, against the clear instruction of the Holy Koran. They have not only been living as traitors to the religion but they have become the object of ridicule by all the civilized communities. The majority of these people are living in Edava, Odatti and other adjacent places. I do not believe that there is anybody among them who desire to retain this inheritance; on the other hand a great majority among them have repeatedly been raising their voice to change this system.

The community as a whole wish to see that, the Marumakkatayam system of inheritance is removed among these Muslims and bring them into the fold of the Mahomedan law of inheritance. The Bill is only an attempt to give legislative recognition to this wish.

P. S. Mahomed,

Member Legislative Council.

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